

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

| | | |
|------------------------------|---|------------------------------------|
| ENTROPIC COMMUNICATIONS, LLC |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 2:22-cv-00125-JRG |
| |) | |
| CHARTER COMMUNICATIONS, INC. |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

**PROPOSED INTERVENOR THE ELECTRONIC FRONTIER FOUNDATION'S
NOTICE OF APPEAL**

Pursuant to the Federal Rules of Appellate Procedure, Proposed Intervenor the Electronic Frontier Foundation (EFF) gives this notice of appeal to the United States Court of Appeals for the Federal Circuit from the Court's order (Dkt. 430), entered May 2, 2024, denying EFF's motion to intervene and to unseal court records (Dkt. 425), and from any and all other judgments, orders, opinions, rulings, and findings that merge therein or are pertinent or ancillary to the foregoing.

Dated: May 31, 2024

Respectfully submitted,

/s/ Christopher J. Morten
Christopher J. Morten (admitted E.D. Tex.)
(NY Bar No. 5428107)
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Christopher J. Morten
Christopher J. Morten

**U.S. District Court
Eastern District of TEXAS [LIVE] (Marshall)
CIVIL DOCKET FOR CASE #: 2:22-cv-00125-JRG
Internal Use Only**

Entropic Communications, LLC v. Charter Communications, Inc.
et al
Assigned to: District Judge Rodney Gilstrap
Cause: 35:271 Patent Infringement

Date Filed: 04/27/2022
Date Terminated: 12/11/2023
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Technical Advisor

David Keyzer
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Plaintiff

Entropic Communications, LLC

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William Loudon

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represented by **Albert John Boardman**

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David S Benyacar

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Deron R Dacus

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Palak Mayani Parikh

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TERMINATED: 02/07/2023

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| Date Filed | # | Docket Text |
|------------|----------|---|
| 04/27/2022 | <u>1</u> | COMPLAINT against Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC (Filing fee \$ 402 receipt number 0540-8892861.), filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L)(Hill, Jack) (Entered: 04/27/2022) |
| 04/27/2022 | <u>2</u> | Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Hill, Jack) (Entered: 04/27/2022) |
| 04/27/2022 | <u>3</u> | CORPORATE DISCLOSURE STATEMENT filed by Entropic Communications, LLC identifying Corporate Parent Entropic Holdings, LLC for Entropic Communications, LLC. (Hill, Jack) (Entered: 04/27/2022) |
| 04/27/2022 | <u>4</u> | DEMAND for Trial by Jury by Entropic Communications, LLC. (Hill, Jack) (Entered: 04/27/2022) |
| 04/27/2022 | | Case assigned to District Judge Rodney Gilstrap. (ch,) (Entered: 04/27/2022) |
| 04/27/2022 | | In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (ch,) (Entered: 04/27/2022) |
| 04/27/2022 | <u>5</u> | SUMMONS Issued as to Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC. |



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| | | (Attachments: # <u>1</u> Summons(es), # <u>2</u> Summons(es))(ch,) (Entered: 04/27/2022) |
| 05/09/2022 | <u>6</u> | SUMMONS Returned Executed by Entropic Communications, LLC. Charter Communications, Inc. served on 5/3/2022, answer due 5/24/2022. (Hill, Jack) (Entered: 05/09/2022) |
| 05/09/2022 | <u>7</u> | SUMMONS Returned Executed by Entropic Communications, LLC. Spectrum Advanced Services, LLC served on 5/3/2022, answer due 5/24/2022. (Hill, Jack) (Entered: 05/09/2022) |
| 05/09/2022 | <u>8</u> | SUMMONS Returned Executed by Entropic Communications, LLC. Spectrum Management Holding Company, LLC served on 5/3/2022, answer due 5/24/2022. (Hill, Jack) (Entered: 05/09/2022) |
| 05/18/2022 | <u>9</u> | NOTICE of Attorney Appearance by Andrea Leigh Fair on behalf of Entropic Communications, LLC (Fair, Andrea) (Entered: 05/18/2022) |
| 05/23/2022 | <u>10</u> | Defendant's Unopposed First Application for Extension of Time to Answer Complaint re Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC.(Dacus, Deron) (Entered: 05/23/2022) |
| 05/23/2022 | | Defendant's Unopposed First Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Spectrum Management Holding Company, LLC to 6/23/2022; Spectrum Advanced Services, LLC to 6/23/2022; Charter Communications, Inc. to 6/23/2022. 30 Days Granted for Deadline Extension.(nkl,) (Entered: 05/23/2022) |
| 05/23/2022 | <u>11</u> | Defendant's Unopposed Second Application for Extension of Time to Answer Complaint re Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC.(Dacus, Deron) (Entered: 05/23/2022) |
| 05/23/2022 | | Defendant's Unopposed Second Application for Extension of Time to Answer Complaint is granted pursuant to Local Rule CV-12 for Spectrum Management Holding Company, LLC to 7/8/2022; Spectrum Advanced Services, LLC to 7/8/2022; Charter Communications, Inc. to 7/8/2022. 15 Days Granted for Deadline Extension.(nkl,) (Entered: 05/23/2022) |
| 05/24/2022 | <u>12</u> | AMENDED COMPLAINT against Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC, filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Hill, Jack Wesley) (Entered: 05/24/2022) |
| 06/14/2022 | <u>13</u> | ORDER - Scheduling Conference set for 7/19/2022 10:00 AM before District Judge Rodney Gilstrap. Signed by District Judge Rodney Gilstrap on 6/14/2022. (ch,) (Entered: 06/15/2022) |
| 07/06/2022 | <u>14</u> | NOTICE of Discovery Disclosure by Entropic Communications, LLC (<i>P.R. 3-1 and P.R. 3-2 Disclosures</i>) (Hill, Jack Wesley) (Entered: 07/06/2022) |
| 07/08/2022 | <u>15</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Palak Mayani Parikh on behalf of Charter Communications, Inc., Spectrum Advanced Services, LLC, |




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| | | Spectrum Management Holding Company, LLC. Filing fee \$ 100, Receipt #ATXEDC-9010087. (nkl,) (Entered: 07/08/2022) |
| 07/08/2022 | <u>16</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Albert John Boardman on behalf of All Defendants. Filing fee \$ 100, receipt number ATXEDC-9010246. (Boardman, Albert) (Entered: 07/08/2022) |
| 07/08/2022 | <u>17</u> | NOTICE of Attorney Appearance - Pro Hac Vice by David S Benyacar on behalf of All Defendants. Filing fee \$ 100, receipt number ATXEDC-9010286. (Benyacar, David) (Entered: 07/08/2022) |
| 07/08/2022 | <u>18</u> | MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC. (Attachments: # <u>1</u> Declaration - Armstrong, # <u>2</u> Declaration - Burdett, # <u>3</u> Declaration - Nelson, # <u>4</u> Declaration - Smith, # <u>5</u> Text of Proposed Order)(Dacus, Deron) (Entered: 07/08/2022) |
| 07/08/2022 | <u>19</u> | CORPORATE DISCLOSURE STATEMENT filed by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC (Dacus, Deron) (Entered: 07/08/2022) |
| 07/08/2022 | <u>20</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Daniel Reisner on behalf of All Defendants. Filing fee \$ 100, receipt number ATXEDC-9010457. (Reisner, Daniel) (Entered: 07/08/2022) |
| 07/13/2022 | <u>21</u> | NOTICE of Attorney Appearance - Pro Hac Vice by James A Shimota on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9017573. (Shimota, James) (Entered: 07/13/2022) |
| 07/13/2022 | <u>22</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Jason A Engel on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9017576. (Engel, Jason) (Entered: 07/13/2022) |
| 07/13/2022 | <u>23</u> | NOTICE of Attorney Appearance by George C Summerfield on behalf of Entropic Communications, LLC (Summerfield, George) (Entered: 07/13/2022) |
| 07/19/2022 | | Minute Entry for proceedings held before District Judge Rodney Gilstrap: Scheduling Conference held on 7/19/2022. Counsel for the parties appeared. Court asked whether they consented to trial before the U.S. Magistrate Judge. Court then gave counsel Claim Construction and Jury Selection/Trial dates. (Court Reporter Shawn McRoberts, RMR, CRR) (aeb) (Entered: 07/19/2022) |
| 07/22/2022 | <u>24</u> | Joint MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3) and for Limited Expedited Venue Discovery</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 07/22/2022) |
| 07/25/2022 | <u>25</u> | ORDER granting <u>24</u> Joint MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3) and for Limited Expedited Venue Discovery</i> ORDERED that the parties may conduct venue discovery subject to the agreements set forth in the Motion. (Dkt. No. 24 at 23.) It is ORDERED that the venue discovery shall be completed by September 30, 2022 and the deadline for Entropics response to Charters Motion to Dismiss for Improper Venue (Dkt. No. 18) is extended until October 14, 2022. Signed by District Judge Rodney Gilstrap on 7/25/2022. (ch,) (Entered: 07/25/2022) |




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| 08/02/2022 | <u>26</u> | Unopposed MOTION for Extension of Time to File by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 08/02/2022) |
| 08/03/2022 | <u>27</u> | ORDER granting <u>26</u> Unopposed MOTION for Extension of Time to File Docket Control Order. Signed by District Judge Rodney Gilstrap on 8/3/2022. (ch,) (Entered: 08/03/2022) |
| 08/05/2022 | <u>28</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Nicholas F. Lenning on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9055865. (Lenning, Nicholas) (Entered: 08/05/2022) |
| 08/05/2022 | <u>29</u> | Agreed MOTION for Entry of Docket Control Order by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 08/05/2022) |
| 08/05/2022 | <u>30</u> | Agreed MOTION for Entry of Discovery Order by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 08/05/2022) |
| 08/09/2022 | <u>31</u> | Unopposed MOTION for Extension of Time to File by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 08/09/2022) |
| 08/09/2022 | <u>32</u> | Agreed MOTION for Entry of Protective Order by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 08/09/2022) |
| 08/10/2022 | <u>33</u> | ORDER granting <u>31</u> Motion for Extension of Time to File Disclosures. Signed by District Judge Rodney Gilstrap on 8/10/2022. (ch,) (Entered: 08/10/2022) |
| 08/10/2022 | <u>34</u> | DISCOVERY ORDER granting <u>30</u> Agreed MOTION for Entry of Discovery Order. Signed by District Judge Rodney Gilstrap on 8/10/2022. (ch,) (Entered: 08/10/2022) |
| 08/10/2022 | <u>35</u> | DOCKET CONTROL ORDER granting <u>29</u> Agreed MOTION for Entry of Docket Control Order. Pretrial Conference set for 10/30/2023 09:00 AM before District Judge Rodney Gilstrap., Amended Pleadings due by 3/28/2023., Jury Selection set for 12/4/2023 09:00AM before District Judge Rodney Gilstrap., Markman Hearing set for 6/13/2023 09:00 AM before District Judge Rodney Gilstrap., Motions due by 10/10/2023., Proposed Pretrial Order due by 10/23/2023.). Signed by District Judge Rodney Gilstrap on 8/10/2022. (ch,) (Entered: 08/10/2022) |
| 08/10/2022 | <u>36</u> | STIPULATED PROTECTIVE ORDER. Signed by District Judge Rodney Gilstrap on 8/10/2022. (ch,) (Entered: 08/10/2022) |
| 08/15/2022 | <u>37</u> | NOTICE by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC <i>Notice of Compliance</i> (Dacus, Deron) (Entered: 08/15/2022) |
| 08/18/2022 | <u>38</u> | NOTICE of Discovery Disclosure by Entropic Communications, LLC (<i>Initial Disclosures</i>) (Hill, Jack Wesley) (Entered: 08/18/2022) |
| 08/30/2022 | <u>39</u> | Agreed MOTION Agreed Motion for Entry of First Amended Docket Control Order re <u>35</u> Order,,, Terminate Motions,,, Scheduling Order,, by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum |


| | | |
|------------|-----------|---|
| | | Management Holding Company, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 08/30/2022) |
| 08/31/2022 | <u>40</u> | FIRST AMENDED DOCKET CONTROL ORDER granting <u>39</u> Agreed MOTION Agreed Motion for Entry of First Amended Docket Control Order re 35 Order. Signed by District Judge Rodney Gilstrap on 8/31/2022. (ch,) (Entered: 09/01/2022) |
| 09/08/2022 | <u>41</u> | NOTICE by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC <i>Notice of Compliance</i> (Dacus, Deron) (Entered: 09/08/2022) |
| 09/23/2022 | <u>42</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Hill, Jack Wesley) (Entered: 09/23/2022) |
| 09/26/2022 | <u>43</u> | ORDER granting <u>42</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> , <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> Responses due by 11/11/2022. Signed by District Judge Rodney Gilstrap on 9/26/2022. (ch,) (Entered: 09/27/2022) |
| 09/27/2022 | <u>44</u> | NOTICE of Attorney Appearance by Matthew Alexander Blair on behalf of Entropic Communications, LLC (Blair, Matthew) (Entered: 09/27/2022) |
| 09/28/2022 | <u>45</u> | NOTICE of Attorney Appearance by Darlene Fae Ghavimi on behalf of All Plaintiffs (Ghavimi, Darlene) (Entered: 09/28/2022) |
| 10/25/2022 | <u>46</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Hill, Jack Wesley) (Entered: 10/25/2022) |
| 10/31/2022 | <u>47</u> | ORDER granting <u>46</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> . Signed by District Judge Rodney Gilstrap on 10/31/2022. (ch,) (Entered: 10/31/2022) |
| 12/02/2022 | <u>48</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Hill, Jack Wesley) (Entered: 12/02/2022) |
| 12/08/2022 | <u>49</u> | ORDER granting <u>48</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> , <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> Responses due by 1/6/2023. Signed by District Judge Rodney Gilstrap on 12/8/2022. (ch,) (Entered: 12/08/2022) |
| 01/04/2023 | <u>50</u> | NOTICE of Attorney Appearance by Elizabeth Anne Long on behalf of All Defendants (Long, Elizabeth) (Entered: 01/04/2023) |
| 01/04/2023 | <u>51</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order) (Hill, Jack Wesley) (Entered: 01/04/2023) |

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| 01/05/2023 | <u>52</u> | ORDER granting <u>51</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> . Extended to 1/10/2023. Signed by District Judge Rodney Gilstrap on 1/5/2023. (ch,) (Entered: 01/05/2023) |
| 01/10/2023 | <u>53</u> | AMENDED COMPLAINT (<i>Second</i>) against Charter Communications, Inc., filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Hill, Jack Wesley) (Entered: 01/10/2023) |
| 01/10/2023 |  <u>54</u> | SEALED RESPONSE to Motion re <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of M. Blair, # <u>2</u> Exhibit A to Blair Declaration, # <u>3</u> Exhibit B to Blair Declaration, # <u>4</u> Exhibit C to Blair Declaration, # <u>5</u> Exhibit D to Blair Declaration, # <u>6</u> Exhibit E to Blair Declaration, # <u>7</u> Exhibit F to Blair Declaration, # <u>8</u> Exhibit G to Blair Declaration, # <u>9</u> Exhibit H to Blair Declaration, # <u>10</u> Exhibit I to Blair Declaration, # <u>11</u> Exhibit J to Blair Declaration, # <u>12</u> Exhibit K to Blair Declaration, # <u>13</u> Exhibit L to Blair Declaration, # <u>14</u> Exhibit M to Blair Declaration, # <u>15</u> Exhibit N to Blair Declaration, # <u>16</u> Exhibit O to Blair Declaration, # <u>17</u> Exhibit P to Blair Declaration, # <u>18</u> Exhibit Q to Blair Declaration, # <u>19</u> Exhibit R to Blair Declaration, # <u>20</u> Exhibit S to Blair Declaration, # <u>21</u> Exhibit T to Blair Declaration, # <u>22</u> Exhibit U to Blair Declaration, # <u>23</u> Exhibit V to Blair Declaration, # <u>24</u> Exhibit W to Blair Declaration, # <u>25</u> Exhibit X to Blair Declaration, # <u>26</u> Exhibit Y to Blair Declaration, # <u>27</u> Text of Proposed Order proposed order)(Hill, Jack Wesley) (Entered: 01/10/2023) |
| 01/17/2023 | <u>55</u> | REPLY to Response to Motion re <u>18</u> MOTION to Dismiss <i>For Improper Venue Pursuant to FRCP 12(b)(3)</i> filed by Charter Communications, Inc., Spectrum Advanced Services, LLC, Spectrum Management Holding Company, LLC. (Long, Elizabeth) (Entered: 01/17/2023) |
| 01/18/2023 | <u>56</u> | REDACTION to <u>54</u> Sealed Response to Motion,,,, by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of M. Blair, # <u>2</u> Exhibit A through E to Blair Declaration (Sealed in Entirety), # <u>3</u> Exhibit F to Blair Declaration, # <u>4</u> Exhibit G through H to Blair Declaration (Sealed in Entirety), # <u>5</u> Exhibit I to Blair Declaration, # <u>6</u> Exhibit J to Blair Declaration, # <u>7</u> Exhibit K to Blair Declaration, # <u>8</u> Exhibit L to Blair Declaration, # <u>9</u> Exhibit M to Blair Declaration, # <u>10</u> Exhibit N to Blair Declaration, # <u>11</u> Exhibit O to Blair Declaration, # <u>12</u> Exhibit P to Blair Declaration, # <u>13</u> Exhibit Q to Blair Declaration, # <u>14</u> Exhibit R to Blair Declaration, # <u>15</u> Exhibit S to Blair Declaration, # <u>16</u> Exhibit T to Blair Declaration, # <u>17</u> Exhibit U to Blair Declaration, # <u>18</u> Exhibit V to Blair Declaration, # <u>19</u> Exhibit W to Blair Declaration, # <u>20</u> Exhibit X to Blair Declaration, # <u>21</u> Exhibit Y to Blair Declaration (Sealed in Entirety), # <u>22</u> Text of Proposed Order proposed order) (Hill, Jack Wesley) (Entered: 01/18/2023) |
| 01/19/2023 | <u>57</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Melissa A. Brown on behalf of All Defendants. Filing fee \$ 100, receipt number ATXEDC-9315923. (Brown, Melissa) (Entered: 01/19/2023) |
| 01/23/2023 | <u>58</u> | Unopposed MOTION for Extension of Time to File Answer re <u>53</u> Amended Complaint, by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 01/23/2023) |


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| 01/25/2023 | <u>59</u> | ORDER granting <u>58</u> Unopposed MOTION for Extension of Time to File Answer re <u>53</u> Amended Complaint. Charter Communications, Inc. answer due 1/30/2023.. Signed by District Judge Rodney Gilstrap on 1/25/2023. (ch,) (Entered: 01/25/2023) |
| 01/27/2023 | <u>60</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Kenneth H. Bridges on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9330960. (Bridges, Kenneth) (Entered: 01/27/2023) |
| 01/30/2023 |  <u>61</u> | SEALED MOTION <i>to Dismiss</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12)(Dacus, Deron) (Entered: 01/30/2023) |
| 02/06/2023 | <u>62</u> | REDACTION to <u>61</u> SEALED MOTION <i>to Dismiss</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7-12)(Dacus, Deron) (Entered: 02/06/2023) |
| 02/06/2023 | <u>63</u> | STIPULATION of Dismissal by Charter Communications, Inc.. (Dacus, Deron) (Entered: 02/06/2023) |
| 02/06/2023 | <u>64</u> | Unopposed MOTION Motion to Amend Case Caption re <u>63</u> Stipulation of Dismissal by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 02/06/2023) |
| 02/07/2023 | <u>65</u> | ORDER re <u>63</u> Stipulation of Dismissal without prejudice as too Spectrum Advanced Services, LLC and Spectrum Management Holding Company, LLC. Signed by District Judge Rodney Gilstrap on 2/7/2023. (ch,) (Entered: 02/07/2023) |
| 02/08/2023 | <u>66</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>61</u> SEALED MOTION <i>to Dismiss</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Fair, Andrea) (Entered: 02/08/2023) |
| 02/10/2023 | <u>67</u> | ORDER granting <u>66</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>61</u> SEALED MOTION <i>to Dismiss</i> , <u>61</u> SEALED MOTION <i>to Dismiss</i> Responses due by 2/20/2023. Signed by District Judge Rodney Gilstrap on 02/10/2023. (klc,) (Entered: 02/10/2023) |
| 02/21/2023 |  <u>68</u> | SEALED RESPONSE to Motion re <u>61</u> SEALED MOTION <i>to Dismiss</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit Declaration of M. Blair, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W, # <u>25</u> Exhibit X, # <u>26</u> Exhibit Y, # <u>27</u> Exhibit Z, # <u>28</u> Exhibit AA, # <u>29</u> Exhibit AB, # <u>30</u> Exhibit AC, # <u>31</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 02/21/2023) |
| 02/27/2023 | <u>69</u> | Unopposed MOTION for Extension of Time to File by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Dacus, Deron) (Entered: 02/27/2023) |



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| 02/28/2023 | <u>70</u> | REDACTION to <u>68</u> Sealed Response to Motion,, by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit Declaration of M. Blair, # <u>2</u> Exhibit A-E, # <u>3</u> Exhibit F, # <u>4</u> Exhibit G-H, # <u>5</u> Exhibit I, # <u>6</u> Exhibit J, # <u>7</u> Exhibit K, # <u>8</u> Exhibit L, # <u>9</u> Exhibit M, # <u>10</u> Exhibit N, # <u>11</u> Exhibit O, # <u>12</u> Exhibit P, # <u>13</u> Exhibit Q, # <u>14</u> Exhibit R, # <u>15</u> Exhibit S, # <u>16</u> Exhibit T, # <u>17</u> Exhibit U, # <u>18</u> Exhibit V, # <u>19</u> Exhibit W, # <u>20</u> Exhibit X, # <u>21</u> Exhibit Y-AB, # <u>22</u> Exhibit AC, # <u>23</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 02/28/2023) |
| 02/28/2023 | <u>71</u> | ORDER granting <u>69</u> Motion for Extension of Time to File Reply. Signed by District Judge Rodney Gilstrap on 2/28/2023. (ch,) (Entered: 02/28/2023) |
| 02/28/2023 | <u>72</u> | Agreed MOTION to Amend/Correct <u>40</u> Order on Motion for Miscellaneous Relief by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Fair, Andrea) (Entered: 02/28/2023) |
| 03/02/2023 | <u>73</u> | SECOND AMENDED DOCKET CONTROL ORDER granting <u>72</u> Agreed MOTION to Amend/Correct 40 Order on Motion for Miscellaneous Relief. Signed by District Judge Rodney Gilstrap on 3/2/2023. (ch,) (Entered: 03/02/2023) |
| 03/06/2023 |  <u>74</u> | Sealed Document. SUPPLEMENT re <u>68</u> SEALED RESPONSE to Motion re <u>61</u> SEALED MOTION to Dismiss filed by Entropic Communications, LLC. (Hill, Jack Wesley) (Entered: 03/06/2023) |
| 03/09/2023 |  <u>75</u> | SEALED REPLY to Response to Motion re <u>61</u> SEALED MOTION <i>to Dismiss</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 13, # <u>3</u> Exhibit 14)(Dacus, Deron) (Entered: 03/09/2023) |
| 03/13/2023 | <u>76</u> | REDACTION to <u>74</u> Sealed Document by Entropic Communications, LLC. (Hill, Jack Wesley) (Entered: 03/13/2023) |
| 03/13/2023 | <u>77</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>61</u> SEALED MOTION <i>to Dismiss (to File Sur-Reply)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 03/13/2023) |
| 03/15/2023 | <u>78</u> | ORDER granting <u>77</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>61</u> SEALED MOTION <i>to Dismiss (to File Sur-Reply)</i> , <u>61</u> SEALED MOTION <i>to Dismiss</i> Responses due by 3/23/2023. Signed by District Judge Rodney Gilstrap on 3/15/2023. (ch,) (Entered: 03/16/2023) |
| 03/16/2023 | <u>79</u> | REDACTION to <u>75</u> Sealed Reply to Response to Motion re <u>61</u> Motion <i>to Dismiss filed</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 13, # <u>3</u> Exhibit 14)(Brown, Melissa) (Entered: 03/16/2023) |
| 03/23/2023 |  <u>80</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>61</u> SEALED MOTION <i>to Dismiss</i> filed by Entropic Communications, LLC. (Hill, Jack Wesley) (Entered: 03/23/2023) |
| 03/29/2023 | <u>81</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Katherine L. Allor on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9426592. (Allor, Katherine) (Entered: 03/29/2023) |
| 03/29/2023 | <u>82</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Peter E. Soskin on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9426688. (Soskin, Peter) (Entered: 03/29/2023) |







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| 04/03/2023 | <u>83</u> | REDACTION to <u>80</u> Sealed Sur-Reply to Reply to Response to Motion by Entropic Communications, LLC. (Hill, Jack Wesley) (Entered: 04/03/2023) |
| 04/04/2023 |  <u>84</u> | Sealed Document. Joint Claim Construction and Pre-Hearing Statement (P.R. 4-3) (Shimota, James) (Entered: 04/04/2023) |
| 04/05/2023 | <u>85</u> | NOTICE by Charter Communications, Inc. <i>of Service of Expert Witness Disclosures Pursuant to PR 4-3(b)</i> (Dacus, Deron) (Entered: 04/05/2023) |
| 04/12/2023 | <u>86</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Samuel Patrick Richey on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9448177. (Richey, Samuel) (Entered: 04/12/2023) |
| 04/14/2023 |  <u>87</u> | ***WITHDRAWN PER ORDER #94*** SEALED MOTION <i>to Disqualify Cathleen Quigley</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Text of Proposed Order)(Shimota, James) Modified on 5/9/2023 (ch,). (Entered: 04/14/2023) |
| 04/19/2023 | <u>88</u> | Agreed MOTION to Amend/Correct <i>Docket Control Order</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Fair, Andrea) (Entered: 04/19/2023) |
| 04/20/2023 | <u>89</u> | AMENDED DOCKET CONTROL ORDER granting <u>88</u> Agreed MOTION to Amend/Correct Docket Control Order. Signed by District Judge Rodney Gilstrap on 4/20/2023. (ch,) (Entered: 04/21/2023) |
| 04/27/2023 | <u>90</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>87</u> SEALED MOTION <i>to Disqualify Cathleen Quigley</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Brown, Melissa) (Entered: 04/27/2023) |
| 05/03/2023 |  <u>91</u> | *SEALED* SEALED ORDER - MEMORANDUM OPINION AND ORDER denying <u>61</u> . Signed by District Judge Rodney Gilstrap on 5/3/2023. (ch,) (Entered: 05/03/2023) |
| 05/05/2023 | <u>92</u> | Unopposed MOTION to Withdraw <u>87</u> SEALED MOTION <i>to Disqualify Cathleen Quigley</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Jack Wesley) (Entered: 05/05/2023) |
| 05/05/2023 | <u>93</u> | ORDER granting <u>90</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>87</u> SEALED MOTION <i>to Disqualify Cathleen Quigley</i> , <u>87</u> SEALED MOTION <i>to Disqualify Cathleen Quigley</i> Responses due by 5/5/2023. Signed by District Judge Rodney Gilstrap on 5/5/2023. (ch,) (Entered: 05/08/2023) |
| 05/08/2023 | <u>94</u> | ORDER granting <u>92</u> Motion to Withdraw <u>87</u> SEALED MOTION <i>to Disqualify</i> >. <i>Signed by District Judge Rodney Gilstrap on 5/8/2023. (ch,) (Entered: 05/09/2023)</i> |
| 05/09/2023 | <u>95</u> | NOTICE by Entropic Communications, LLC <i>of Compliance Regarding Technical Tutorial</i> (Fair, Andrea) (Entered: 05/09/2023) |
| 05/09/2023 | <u>96</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Amy L DeWitt on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9490163. (DeWitt, Amy) (Entered: 05/09/2023) |
| 05/09/2023 | <u>97</u> | PLAINTIFF'S OPENING CLAIM CONSTRUCTION BRIEF filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit 1 - U.S. Patent No. |




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| | | 8,223,775, # <u>2</u> Exhibit 2 - U.S. Patent No. 8,792,008, # <u>3</u> Exhibit 3 - U.S. Patent No. 9,825,826, # <u>4</u> Exhibit 4 - U.S. Patent No. 8,284,690, # <u>5</u> Exhibit 5 - U.S. Patent No. 9,210,362, # <u>6</u> Exhibit 6 - U.S. Patent No. 10,135,682, # <u>7</u> Exhibit 7 - Rebuttal Declaration of Richard A. Kramer, # <u>8</u> Exhibit 8 - Declaration of Dr. Kevin Almeroth, # <u>9</u> Exhibit 9 - Almeroth Condensed Deposition Transcript, # <u>10</u> Exhibit 10 - IEEE Dictionary, # <u>11</u> Exhibit 11 - Email from A. Boardman)(Fair, Andrea) (Entered: 05/09/2023) |
| 05/10/2023 | <u>98</u> | NOTICE by Charter Communications, Inc. - <i>Joint Notice of Redaction of Docket 91</i> - (Attachments: # <u>1</u> Exhibit 1 - Redacted Order, dated May 3, 2023 to the docket in 22-cv-125 (ED Tex))(Brown, Melissa) (Entered: 05/10/2023) |
| 05/11/2023 | <u>99</u> | Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE by Charter Communications, Inc.. (Attachments: # <u>1</u> Ex 1 - Proposed Consolidated Order, # <u>2</u> Ex 2 - Claim Charts, # <u>3</u> Text of Proposed Order)(Reisner, Daniel) (Entered: 05/11/2023) |
| 05/11/2023 | <u>100</u> | ORDER - Court hereby appoints David Keyzer as the Courts technical advisor. Signed by District Judge Rodney Gilstrap on 5/11/2023. (ch,) (Entered: 05/12/2023) |
| 05/17/2023 |  <u>101</u> | Sealed Document. Defendant's Answer to Second Amended Complaint (Dacus, Deron) (Entered: 05/17/2023) |
| 05/17/2023 | <u>102</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Courtney Neufeld on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9505527. (Neufeld, Courtney) (Entered: 05/17/2023) |
| 05/18/2023 | <u>103</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Connor James Meggs on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9506343. (Meggs, Connor) (Entered: 05/18/2023) |
| 05/23/2023 | <u>104</u> | REPLY to <u>97</u> Claim Construction Brief,, <i>filed by Charter Communications, Inc.</i> (Attachments: # <u>1</u> Affidavit/Declaration of Albert Boardman in Support of Charter's Responsive Claim Construction Brief, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5)(Long, Elizabeth) (Entered: 05/23/2023) |
| 05/24/2023 | <u>105</u> | REDACTION to <u>101</u> Sealed Document <i>Answer</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 05/24/2023) |
| 05/25/2023 | <u>106</u> | FILED IN ERROR PER ATTORNEY Unopposed MOTION for Extension of Time to File Response/Reply as to <u>99</u> Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Hill, Jack Wesley) Modified on 5/25/2023 (nkl,). (Entered: 05/25/2023) |
| 05/25/2023 | | ***FILED IN ERROR PER ATTORNEY. Document # 106, Unopposed MOTION for Extension of Time to File Response/Reply. PLEASE IGNORE.*** (nkl,) (Entered: 05/25/2023) |
| 05/25/2023 | <u>107</u> | NOTICE by Charter Communications, Inc. <i>of its Designation of Daniel L. Reisner as Lead Counsel</i> (Long, Elizabeth) (Entered: 05/25/2023) |
| 05/26/2023 | <u>108</u> | Unopposed MOTION for Leave to Supplement Infringement Contentions by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Fair, |







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| | | Andrea) (Entered: 05/26/2023) |
| 05/26/2023 | <u>109</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>99</u> Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Hill, Jack Wesley) (Entered: 05/26/2023) |
| 05/30/2023 | <u>110</u> | PLAINTIFF'S REPLY CLAIM CONSTRUCTION BRIEF filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit 12 - U.S. Patent Publication No. 2021/0337543, # <u>2</u> Exhibit 13 - Newtons Telecom Dictionary Excerpt, # <u>3</u> Exhibit 14 - Microsoft Computer Dictionary Excerpt, # <u>4</u> Exhibit 15 - Entropic's Technology Tutorial Slides)(Shimota, James) (Entered: 05/30/2023) |
| 05/31/2023 | <u>111</u> | ORDER Before the Court is Plaintiff's Unopposed Motion for Leave to Supplement Infringement Contentions filed by Entropic Communications LLC. (Dkt. No. <u>109</u> .) In the Motion, Entropic requests leave to supplement its infringement contentions. (Id. at 1.) Entropic served its supplemental infringement contentions on March 10, 2023. (Id.) The Motion is unopposed. (Id. at 1, 3) Having considered the Motion, and noting its unopposed nature, the Court finds that it should be and hereby is GRANTED. Accordingly, the Court ORDERS that Entropic is granted leave to supplement its infringement contentions as requested. Signed by District Judge Rodney Gilstrap on 5/30/2023. (psm) (Entered: 05/31/2023) |
| 05/31/2023 | <u>112</u> | ORDER Before the Court is the Unopposed Motion for Extension of Time to Respond to Charter's Motion to Consolidate filed by Plaintiff Entropic Communications, LLC. (Dkt. No. <u>109</u> .) In the Motion, Entropic requests an extension of time to file a response in opposition to Defendant Charter Communications, Inc.'s Motion to Consolidate and Amend the Case Schedule (Dkt. No. <u>99</u>). (Id. at 1.) The requested extension would move the deadline for Entropic to file its opposition up to and including May 31, 2023. (Id.) The Motion is unopposed. (Id. at 1, 3.) Having considered the Motion, and noting its unopposed nature, the Court finds that it should be and hereby is GRANTED. Accordingly, the Court ORDERS that the deadline for Entropic to file a response to the Motion to Consolidate is extended up to and including May 31, 2023. Signed by District Judge Rodney Gilstrap on 5/30/2023. (psm) (Entered: 05/31/2023) |
| 05/31/2023 | <u>113</u> | RESPONSE in Opposition re <u>99</u> Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE <i>filed by Entropic Communications, LLC.</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Hill, Jack Wesley) (Entered: 05/31/2023) |
| 06/02/2023 | <u>114</u> | P.R. 4-5(d) Joint Claim Construction Chart by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit A(Long, Elizabeth) (Entered: 06/02/2023) |
| 06/06/2023 | <u>115</u> | Amended P.R. 4-5(d) Joint Claim Construction Chart by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit A)(Long, Elizabeth) (Entered: 06/06/2023) |
| 06/08/2023 | <u>116</u> | REPLY to Response to Motion re <u>99</u> Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE <i>filed by Charter Communications, Inc.</i> (Attachments: # <u>1</u> Declaration of Daniel Reisner)(Brown, Melissa) (Entered: 06/08/2023) |
| 06/12/2023 | <u>117</u> | NOTICE by Entropic Communications, LLC re <u>97</u> Claim Construction Brief,, <i>Corrected Exhibit 7 (ECF No. 97-7)</i> (Attachments: # <u>1</u> Exhibit Corrected |






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| | | Exhibit 7)(Hill, Jack Wesley) (Entered: 06/12/2023) |
| 06/13/2023 | <u>118</u> | Minute Entry for proceedings held before District Judge Rodney Gilstrap: Markman Hearing held on 6/13/2023. (from 09:02 AM to 12:49 PM) (Court Reporter Shelly Holmes) (Attachments: # <u>1</u> Attorney Attendance Sheet) (aeb) (Entered: 06/13/2023) |
| 06/15/2023 | <u>119</u> | SUR-REPLY to Reply to Response to Motion re <u>99</u> Opposed MOTION TO CONSOLIDATE THIS ACTION WITH NO. 2:23-CV-00052-JRG AND TO AMEND THE CASE SCHEDULE <i>filed by Entropic Communications, LLC.</i> (Attachments: # <u>1</u> Exhibit A - Declaration of James Shimota)(Shimota, James) (Entered: 06/15/2023) |
| 06/21/2023 | <u>120</u> | USCA FEDERAL CIRCUIT - ORDER filed directing Entropic Communications, LLC to respond to the petition no later than seven days from the date of filing of this order. Any reply in support of the petition is due no later than three days thereafter (23-136) (ch,) (Entered: 06/21/2023) |
| 06/22/2023 | <u>121</u> | NOTICE of Attorney Appearance by Paul Isaac Margulies on behalf of Charter Communications, Inc. (Margulies, Paul) (Entered: 06/22/2023) |
| 06/23/2023 | <u>122</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Marc A Cohn on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9566636. (Cohn, Marc) (Entered: 06/23/2023) |
| 06/26/2023 | <u>123</u> | CLAIM CONSTRUCTION MEMORANDUM OPINION AND ORDER. Signed by District Judge Rodney Gilstrap on 6/26/2023. (ch,) (Entered: 06/26/2023) |
| 06/27/2023 | <u>124</u> | NOTICE of Attorney Appearance by Jacob Michael Bass on behalf of Charter Communications, Inc. (Bass, Jacob) (Entered: 06/27/2023) |
| 06/27/2023 |  <u>125</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/13/23 (Claim Construction Hearing) before Judge Rodney Gilstrap. Court Reporter/Transcriber: Shelly Holmes, CSR, TCRR, Telephone number: (903) 794-1018 (Shelly_Holmes@txed.uscourts.gov).</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Motion to Redact due 7/18/2023. Release of Transcript Restriction set for 9/25/2023. (Holmes, Shelly) (Entered: 06/27/2023)</p> |
| 07/05/2023 | <u>126</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Ketajh Brown on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9583870. (Brown, Ketajh) (Entered: 07/05/2023) |
| 07/06/2023 | <u>127</u> | NOTICE of Attorney Appearance - Pro Hac Vice by David Eric Shapland on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9585909. (Shapland, David) (Entered: 07/06/2023) |

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| 07/10/2023 | <u>128</u> | PAPER TRANSCRIPT REQUEST by Charter Communications, Inc. for proceedings held on 6-13-23- Claim Construction Hearing before Judge Gilstrap. (Dacus, Deron) (Main Document 128 replaced with flattened image on 7/10/2023) (ch,). (forwarded to Shelly Holmes) Modified on 7/10/2023 (ch,). (Entered: 07/10/2023) |
| 07/10/2023 | <u>129</u> | ORDER - Court has received Mr. Keyzers invoice for services through June 27, 2023, court hereby ORDERS payment to be promptly made as follows. Signed by District Judge Rodney Gilstrap on 7/10/2023. (ch,) (Entered: 07/10/2023) |
| 07/11/2023 |  <u>130</u> | ***WITHDRAWN PER #140**Unopposed SEALED MOTION <i>to Compel Responses to Interrogatories 8, 16, 23, and 29</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) Modified on 7/28/2023 (ch,). (Entered: 07/11/2023) |
| 07/12/2023 | <u>131</u> | Joint MOTION for Leave to Supplement Contentions by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Hill, Jack Wesley) (Entered: 07/12/2023) |
| 07/13/2023 | <u>132</u> | ORDER granting <u>131</u> Joint MOTION for Leave to Supplement Contentions. Signed by District Judge Rodney Gilstrap on 7/13/2023. (ch,) (Entered: 07/14/2023) |
| 07/14/2023 | <u>133</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Christina N Goodrich on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9600975. (Goodrich, Christina) (Entered: 07/14/2023) |
| 07/18/2023 | <u>134</u> | REDACTION to <u>130</u> Unopposed SEALED MOTION <i>to Compel Responses to Interrogatories 8, 16, 23, and 29</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Brown, Melissa) (Entered: 07/18/2023) |
| 07/21/2023 |  <u>135</u> | SEALED MOTION <i>for Leave to Supplement Infringement Contentions</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order)(Shimota, James) (Entered: 07/21/2023) |
| 07/21/2023 | <u>136</u> | Joint MOTION for Extension of Time to Complete Discovery (<i>Joint Motion to Complete Limited Fact Discovery Out of Time</i>) by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 07/21/2023) |
| 07/24/2023 | <u>137</u> | NOTICE of Attorney Appearance by Charles Everingham, IV on behalf of Entropic Communications, LLC (Everingham, Charles) (Entered: 07/24/2023) |
| 07/25/2023 | <u>138</u> | ORDER granting <u>136</u> Joint MOTION for Extension of Time to Complete Discovery (<i>Joint Motion to Complete Limited Fact Discovery Out of Time</i>). Signed by District Judge Rodney Gilstrap on 7/25/2023. (ch,) (Entered: 07/25/2023) |
| 07/27/2023 | <u>139</u> | Unopposed MOTION to Withdraw <u>130</u> Unopposed SEALED MOTION <i>to Compel Responses to Interrogatories 8, 16, 23, and 29</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) (Entered: 07/27/2023) |
| 07/28/2023 | <u>140</u> | ORDER granting <u>139</u> Motion to Withdraw <u>130</u> Unopposed SEALED MOTION <i>to Compel Responses to Interrogatories 8, 16, 23, and 29</i> . Signed by District Judge Rodney Gilstrap on 7/28/2023. (ch,) (Entered: 07/28/2023) |





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| 07/28/2023 |  <u>141</u> | SEALED MOTION <i>to Strike the Expert Report of David O. Taylor</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Shimota, James) (Entered: 07/28/2023) |
| 07/31/2023 | <u>142</u> | REDACTION to <u>87</u> SEALED MOTION <i>to Disqualify Cathleen Quigley</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Proposed Order)(Shimota, James) (Entered: 07/31/2023) |
| 08/07/2023 |  <u>143</u> | SEALED RESPONSE to Motion re <u>135</u> SEALED MOTION <i>for Leave to Supplement Infringement Contentions</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of Paul Margulies, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(Margulies, Paul) (Entered: 08/07/2023) |
| 08/11/2023 |  <u>144</u> | SEALED RESPONSE to Motion re <u>141</u> SEALED MOTION to Strike the Expert Report of David O. Taylor filed by Charter Communications, Inc. (Long, Elizabeth) (Entered: 08/11/2023) |
| 08/14/2023 | <u>145</u> | Joint MOTION for Leave to File <i>Supplement Expert Reports</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) (Entered: 08/14/2023) |
| 08/14/2023 | <u>146</u> | REDACTION to <u>143</u> Sealed Response to Motion, by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Paul Margulies, # <u>2</u> Exhibit 1-6)(Brown, Melissa) (Entered: 08/14/2023) |
| 08/14/2023 |  <u>147</u> | SEALED REPLY to Response to Motion re <u>135</u> SEALED MOTION <i>for Leave to Supplement Infringement Contentions</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Shimota, James) (Entered: 08/14/2023) |
| 08/15/2023 | <u>148</u> | ORDER granting <u>145</u> Joint MOTION for Leave to File Supplement Expert Reports. Signed by District Judge Rodney Gilstrap on 8/15/2023. (ch,) (Entered: 08/16/2023) |
| 08/17/2023 | <u>149</u> | REDACTION to <u>135</u> SEALED MOTION <i>for Leave to Supplement Infringement Contentions</i> by Entropic Communications, LLC. (Shimota, James) (Entered: 08/17/2023) |
| 08/18/2023 | <u>150</u> | REDACTION to <u>144</u> Sealed Response to Motion <i>DEFENDANT CHARTER COMMUNICATIONS, INC.'S OPPOSITION TO PLAINTIFFS MOTION TO STRIKE THE EXPERT REPORT OF DAVID O. TAYLOR</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 08/18/2023) |
| 08/18/2023 |  <u>151</u> | SEALED REPLY to Response to Motion re <u>141</u> SEALED MOTION <i>to Strike the Expert Report of David O. Taylor</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of Jim Shimota, # <u>2</u> Exhibit A) (Shimota, James) (Entered: 08/18/2023) |
| 08/22/2023 |  <u>152</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>135</u> SEALED MOTION <i>for Leave to Supplement Infringement Contentions</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Paul Margulies, # <u>2</u> Exhibit 7, # <u>3</u> Exhibit 8, # <u>4</u> Exhibit 9)(Margulies, Paul) (Entered: 08/22/2023) |
| 08/23/2023 | <u>153</u> | Agreed MOTION to Amend/Correct <i>Docket Control Order</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Shimota, |






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| | | James) (Entered: 08/23/2023) |
| 08/25/2023 | <u>154</u> | ORDER granting <u>153</u> Motion to Amend/Correct. Signed by District Judge Rodney Gilstrap on 8/24/23. (bga) (Entered: 08/25/2023) |
| 08/28/2023 |  <u>155</u> | SEALED RESPONSE by Charter Communications, Inc. to <u>151</u> Sealed Reply to Response to Motion filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 08/28/2023) |
| 08/29/2023 | <u>156</u> | REDACTION to <u>152</u> Sealed Sur-Reply to Reply to Response to Motion, by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Paul Margulies, # <u>2</u> Exhibit 7, # <u>3</u> Exhibit 8, # <u>4</u> Exhibit 9)(Brown, Melissa) (Entered: 08/29/2023) |
| 08/29/2023 | <u>157</u> | MEMORANDUM OPINION AND ORDER - denying <u>99</u> . Signed by District Judge Rodney Gilstrap on 8/29/2023. (ch,) (Entered: 08/30/2023) |
| 08/29/2023 | <u>158</u> | MEMORANDUM OPINION AND ORDER - denying <u>135</u> Motion for Leave to Supplement Infringement Contentions. Signed by District Judge Rodney Gilstrap on 8/29/2023. (ch,) (Entered: 08/30/2023) |
| 08/31/2023 |  <u>159</u> | Unopposed SEALED MOTION <i>Motion for Leave to Take Third-Party Deposition of Vantiva USA LLC</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota In Support Of Motion for Leave, # <u>2</u> Exhibit A to Shimota Declaration, # <u>3</u> Exhibit B to Shimota Declaration, # <u>4</u> Exhibit C to Shimota Declaration, # <u>5</u> Exhibit D to Shimota Declaration, # <u>6</u> Exhibit E to Shimota Declaration, # <u>7</u> Proposed Order)(Shimota, James) (Entered: 08/31/2023) |
| 09/01/2023 | <u>160</u> | ORDER granting <u>159</u> Sealed Motion. Signed by District Judge Rodney Gilstrap on 09/01/2023. (klc,) (Entered: 09/01/2023) |
| 09/05/2023 | <u>161</u> | ORDER USCA FEDERAL CIRCUIT - filed denying <u>2</u> Petition for Writ of Mandamus filed by Charter Communications, Inc (23-136) (ch,) (Entered: 09/05/2023) |
| 09/05/2023 | <u>162</u> | REDACTION to <u>155</u> Response to Non-Motion <i>Defendant Charter Communications, Inc.'s Sur-Reply in Further Opposition to Plaintiff's Motion to Strike the Expert Report of David O. Taylor</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 09/05/2023) |
| 09/07/2023 | <u>163</u> | NOTICE of Designation of Mediator, Gary McGowan, filed by Entropic Communications, LLC. (Hill, Jack Wesley) (Entered: 09/07/2023) |
| 09/07/2023 | <u>164</u> | AGREED MOTION to Amend/Correct <i>Docket Control Order</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) (Entered: 09/07/2023) |
| 09/10/2023 | <u>165</u> | FIFTH AMENDED DOCKET CONTROL ORDER granting <u>164</u> AGREED MOTION to Amend/Correct Docket Control Order. Signed by District Judge Rodney Gilstrap on 9/10/2023. (ch,) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>166</u> | SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. SOURI'S IMPROPER OPINIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of E. Long ISO Charter's Motion to Strike Dr. Souris's Improper Opinions, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |







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| 09/11/2023 |  <u>167</u> | SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. KRAMER'S IMPROPER OPINIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of Elizabeth Long In Support of Charter's Motion to Strike Dr. Kramer's Improper Opinions, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 | <u>168</u> | MOTION to Strike <i>Opinions of Steven Goldberg</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of Jim Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Proposed Order)(Shimota, James) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>169</u> | SEALED MOTION <i>CHARTER'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of Elizabeth Long In Support of Charter's Motion to Exclude The Expert Opinions of Stephen Dell, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 | <u>170</u> | MOTION for Summary Judgment <i>Of No Invalidity Under 32 U.S.C. §§ 102 & 103</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of Jim Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Proposed Order)(Shimota, James) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>171</u> | SEALED MOTION <i>CHARTER'S MOTION TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of Elizabeth Long In Support of Charter's Motion to Strike Entropic's Improper Secondary Considerations Positions, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>172</u> | SEALED MOTION (<i>CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long In Support of Charter's Motion for Partial Summary Judgment of No Pre-Suit Damage, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>173</u> | SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long In Support of Charter's Motion for Partial Summary Judgment of No Pre-Suit Damage, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>174</u> | SEALED MOTION <i>to Strike Opinions of Christopher Bakewell</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> |



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| | | Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W, # <u>25</u> Exhibit X, # <u>26</u> Exhibit Y, # <u>27</u> Exhibit Z, # <u>28</u> Exhibit AA, # <u>29</u> Exhibit AB, # <u>30</u> Exhibit AC, # <u>31</u> Affidavit/Declaration of Darlene Ghavimi, # <u>32</u> Exhibit A - to Ghavimi Declaration)(Shimota, James) (Additional attachment(s) added on 9/12/2023: # <u>33</u> Proposed Order) (nkl,). (Entered: 09/11/2023) |
| 09/11/2023 |  <u>175</u> | SEALED MOTION <i>to Strike Opinions of Dr. Kevin Almeroth</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Proposed Order)(Shimota, James) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>176</u> | SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration OF ELIZABETH LONG IN SUPPORT OF CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Proposed Order)(Long, Elizabeth) (Entered: 09/11/2023) |
| 09/11/2023 |  <u>177</u> | SEALED MOTION <i>for Summary Judgment of No License Defense Based on DOCSIS</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Proposed Order)(Shimota, James) (Entered: 09/11/2023) |
| 09/12/2023 | <u>178</u> | Filed in Error. Attorney to Refile MOTION for Summary Judgment <i>for Summary Judgment of No License Defense Based on DOCSIS</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Proposed Order)(Shimota, James) Modified on 9/12/2023 (klc,). (Entered: 09/12/2023) |
| 09/12/2023 |  <u>179</u> | SEALED MOTION <i>of Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Proposed Order) (Shimota, James) (Entered: 09/12/2023) |
| 09/12/2023 |  <u>180</u> | SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Proposed Order)(Shimota, James) (Entered: 09/12/2023) |
| 09/12/2023 | <u>181</u> | MOTION for Summary Judgment <i>of Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Proposed Order)(Shimota, James) (Entered: 09/12/2023) |



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| 09/18/2023 | <u>182</u> | AGREED MOTION to Amend/Correct <u>165</u> Order on Motion to Amend/Correct <i>Docket Control Order</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 09/18/2023) |
| 09/18/2023 | <u>183</u> | REDACTION to <u>166</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. SOURIS IMPROPER OPINIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>184</u> | REDACTION to <u>167</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. KRAMER'S IMPROPER OPINIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>185</u> | REDACTION to <u>169</u> SEALED MOTION <i>CHARTER'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>186</u> | REDACTION to <u>171</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>187</u> | REDACTION to <u>172</u> SEALED MOTION (<i>CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>188</u> | REDACTION to <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/18/2023 | <u>189</u> | REDACTION to <u>176</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i>) by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Errata, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Proposed Order)(Long, Elizabeth) (Entered: 09/18/2023) |
| 09/20/2023 | <u>190</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Michael T Pieja on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9713369. (Pieja, Michael) (Entered: 09/20/2023) |









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| 09/20/2023 | <u>191</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Alan E Littmann on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9713422. (Littmann, Alan) (Entered: 09/20/2023) |
| 09/20/2023 |  <u>192</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Doug Winnard on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9713441. (Winnard, Doug) (Additional attachment(s) added on 9/20/2023: # <u>1</u> Sealed Attachment) (nkl,). (Entered: 09/20/2023) |
| 09/20/2023 | <u>193</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Shaun Zhang on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9713465. (Zhang, Shaun) (Entered: 09/20/2023) |
| 09/20/2023 | <u>194</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Jennifer M. Hartjes on behalf of Entropic Communications, LLC. Filing fee \$ 100, receipt number ATXEDC-9713473. (Hartjes, Jennifer) (Entered: 09/20/2023) |
| 09/21/2023 | <u>195</u> | ORDER granting <u>182</u> AGREED MOTION to Amend/Correct 165 Order on Motion to Amend/Correct Docket Control Order. Signed by District Judge Rodney Gilstrap on 9/21/2023. (ch,) (Entered: 09/21/2023) |
| 09/25/2023 |  <u>196</u> | SEALED RESPONSE to Motion re <u>167</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. KRAMER'S IMPROPER OPINIONS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 | <u>197</u> | RESPONSE in Opposition re <u>172</u> SEALED MOTION (<i>CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i>) filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order) (Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>198</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>197</u> Response in Opposition to Motion. (Declaration of James Shimota in Support of Plaintiff's Opposition) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 | <u>199</u> | ***FILED IN ERROR*** Additional Attachments to Main Document: <u>197</u> Response in Opposition to Motion.. (Attachments: # <u>1</u> Exhibit H (Public))(Shimota, James) Modified on 9/25/2023 (ch,). (Entered: 09/25/2023) |
| 09/25/2023 | | ***FILED IN ERROR. FILED UNDER THE WRONG EVENT Document # 199, Additional attachments. PLEASE IGNORE.*** (ch,) (Entered: 09/25/2023) |
| 09/25/2023 | <u>200</u> | REDACTION to <u>198</u> Sealed Additional Attachments to Main Document, by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>201</u> | SEALED RESPONSE to Motion re <u>171</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Nicholas Lenning, # <u>2</u> Exhibit A, # <u>3</u> Exhibit |




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| | | B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>202</u> | SEALED RESPONSE to Motion re <u>180</u> SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Declaration of Elizabeth Long, # <u>2</u> Exhibit D, # <u>3</u> Exhibit E, # <u>4</u> Exhibit F, # <u>5</u> Exhibit G, # <u>6</u> Exhibit H, # <u>7</u> Exhibit I, # <u>8</u> Exhibit J, # <u>9</u> Exhibit K, # <u>10</u> Exhibit L, # <u>11</u> Exhibit M, # <u>12</u> Exhibit N, # <u>13</u> Exhibit O, # <u>14</u> Exhibit P, # <u>15</u> Exhibit Q, # <u>16</u> Exhibit R, # <u>17</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>203</u> | SEALED RESPONSE to Motion re <u>169</u> SEALED MOTION <i>CHARTER'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>204</u> | ***FILED IN ERROR*** SEALED RESPONSE to Motion re <u>181</u> MOTION for Summary Judgment of <i>Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit E, # <u>3</u> Proposed Order) (Reisner, Daniel) Modified on 9/26/2023 (ch,). (Entered: 09/25/2023) |
| 09/25/2023 |  <u>205</u> | SEALED RESPONSE to Motion re <u>166</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. SOURIS IMPROPER OPINIONS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>206</u> | SEALED RESPONSE to Motion re <u>170</u> MOTION for Summary Judgment Of <i>No Invalidity Under 32 U.S.C. §§ 102 & 103</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit E, # <u>3</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 | <u>207</u> | RESPONSE in Opposition re <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>208</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>207</u> Response in Opposition to Motion, (Declaration of James Shimota in Support of Plaintiff's Opposition). (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 | <u>209</u> | RESPONSE to Motion re <u>181</u> MOTION for Summary Judgment of <i>Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> , <u>178</u> MOTION for Summary Judgment <i>for Summary Judgment of No License Defense Based on DOCSIS</i> filed by Charter Communications, Inc.. |




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| | | (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F, # <u>6</u> Exhibit G, # <u>7</u> Exhibit H, # <u>8</u> Exhibit I, # <u>9</u> Exhibit J, # <u>10</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>210</u> | SEALED RESPONSE to Motion re <u>176</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i>) filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Proposed Order)(Shimota, James) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>211</u> | SEALED RESPONSE to Motion re <u>179</u> SEALED MOTION of <i>Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H, # <u>4</u> Exhibit I, # <u>5</u> Exhibit J, # <u>6</u> Errata K, # <u>7</u> Exhibit L, # <u>8</u> Exhibit M, # <u>9</u> Exhibit N, # <u>10</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>212</u> | SEALED RESPONSE to Motion re <u>174</u> SEALED MOTION to <i>Strike Opinions of Christopher Bakewell</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit AD, # <u>3</u> Exhibit AE, # <u>4</u> Exhibit AF, # <u>5</u> Exhibit AG, # <u>6</u> Exhibit AH, # <u>7</u> Exhibit AI, # <u>8</u> Exhibit AJ, # <u>9</u> Exhibit AK, # <u>10</u> Exhibit AL, # <u>11</u> Exhibit AM, # <u>12</u> Exhibit AN, # <u>13</u> Exhibit AO, # <u>14</u> Exhibit AP, # <u>15</u> Exhibit AQ, # <u>16</u> Exhibit AR, # <u>17</u> Exhibit AS, # <u>18</u> Exhibit AT, # <u>19</u> Exhibit AU, # <u>20</u> Exhibit AV, # <u>21</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>213</u> | SEALED RESPONSE to Motion re <u>175</u> SEALED MOTION to <i>Strike Opinions of Dr. Kevin Almeroth</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit K, # <u>3</u> Exhibit L, # <u>4</u> Exhibit M, # <u>5</u> Exhibit N, # <u>6</u> Exhibit O, # <u>7</u> Exhibit P, # <u>8</u> Exhibit Q, # <u>9</u> Exhibit R, # <u>10</u> Exhibit S, # <u>11</u> Exhibit T, # <u>12</u> Proposed Order) (Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>214</u> | SEALED RESPONSE to Motion re <u>168</u> MOTION to <i>Strike Opinions of Steven Goldberg</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H, # <u>4</u> Exhibit I, # <u>5</u> Exhibit J, # <u>6</u> Exhibit K, # <u>7</u> Exhibit L, # <u>8</u> Proposed Order) (Reisner, Daniel) (Entered: 09/25/2023) |
| 09/25/2023 |  <u>215</u> | SEALED RESPONSE to Motion re <u>177</u> SEALED MOTION for <i>Summary Judgment of No License Defense Based on DOCSIS</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration of Elizabeth Long, # <u>2</u> Exhibit E, # <u>3</u> Exhibit F, # <u>4</u> Exhibit G, # <u>5</u> Exhibit H, # <u>6</u> Exhibit I, # <u>7</u> Exhibit J, # <u>8</u> Exhibit K, # <u>9</u> Exhibit L, # <u>10</u> Exhibit M, # <u>11</u> Exhibit N, # <u>12</u> Exhibit O, # <u>13</u> Exhibit P, # <u>14</u> Exhibit Q, # <u>15</u> Exhibit R, # <u>16</u> Exhibit S, # <u>17</u> Exhibit T, # <u>18</u> Exhibit U, # <u>19</u> Exhibit V, # <u>20</u> Exhibit W, # <u>21</u> Exhibit X, # <u>22</u> Proposed Order)(Reisner, Daniel) (Entered: 09/25/2023) |
| 09/26/2023 | | ***FILED IN ERROR. PER ATTORNEY Document # 204, Sealed Response. PLEASE IGNORE.*** (ch,) (Entered: 09/26/2023) |
| 09/26/2023 | <u>216</u> | OPPOSED MOTION to Amend/Correct <i>Docket Control Order</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # |






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| | | <u>3</u> Exhibit, # <u>4</u> Proposed Order)(Long, Elizabeth) (Entered: 09/26/2023) |
| 10/02/2023 |  <u>217</u> | SEALED REPLY to Response to Motion re <u>167</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. KRAMER'S IMPROPER OPINIONS</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 |  <u>218</u> | SEALED REPLY to Response to Motion re <u>172</u> SEALED MOTION <i>(CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES)</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration OF ELIZABETH LONG IN SUPPORT OF CHARTER'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES, # <u>2</u> Exhibit - Q PRESUIT DAMAGES SJ)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>219</u> | REDACTION to <u>202</u> Sealed Response to Motion,, <i>re 180 SEALED MOTION for Summary Judgment of No Unclean Hands Defense</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>220</u> | REDACTION to <u>206</u> Sealed Response to Motion, <i>re 170 MOTION for Summary Judgment Of No Invalidity Under 35 U.S.C. §§ 102 & 10</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>221</u> | REDACTION to <u>211</u> Sealed Response to Motion, <i>re 179 SEALED MOTION of Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate f</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>222</u> | REDACTION to <u>212</u> Sealed Response to Motion,, <i>re 174 SEALED MOTION to Strike Opinions of Christopher Bakewell</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Proposed Order) (Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>223</u> | REDACTION to <u>214</u> Sealed Response to Motion, <i>re 168 MOTION to Strike Opinions of Steven Goldberg</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>224</u> | REDACTION to <u>215</u> Sealed Response to Motion,, <i>re 177 SEALED MOTION for Summary Judgment of No License Defense Based on DOCSIS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> |





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| | | Exhibit, # <u>21</u> Exhibit, # <u>22</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/02/2023 | <u>225</u> | REDACTION to <u>213</u> Sealed Response to Motion, <i>re 175 SEALED MOTION to Strike Opinions of Dr. Kevin Almeroth</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Proposed Order)(Long, Elizabeth) (Entered: 10/02/2023) |
| 10/03/2023 | <u>226</u> | ***FILED IN ERROR*** RESPONSE in Support re <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) filed by Charter Communications, Inc.. (Long, Elizabeth) Modified on 10/3/2023 (ch,). (Entered: 10/03/2023) |
| 10/03/2023 | | ***FILED IN ERROR. FILED UNDER THE WRONG EVENT Document # 226, Response. PLEASE IGNORE.*** (ch,) (Entered: 10/03/2023) |
| 10/03/2023 | <u>227</u> | ***FILED IN ERROR*** RESPONSE to Motion re <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) <i>CHARTER'S REPLY IN FURTHER SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i> filed by Charter Communications, Inc.. (Long, Elizabeth) Modified on 10/3/2023 (ch,). (Entered: 10/03/2023) |
| 10/03/2023 | | ***FILED IN ERROR. PLEASE FILE YOUR REPLY UNDER CORRECT EVENT Document # 227, Response to Motion. PLEASE IGNORE.*** (ch,) (Entered: 10/03/2023) |
| 10/03/2023 | <u>228</u> | REPLY to Response to Motion re <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) <i>CHARTER'S REPLY IN FURTHER SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>229</u> | ***DEFICIENT DOCUMENT*** SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>228</u> Reply to Response to Motion,. DECLARATION OF ELIZABETH LONG IN SUPPORT OF CHARTER'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M)(Long, Elizabeth) Modified on 10/3/2023 (ch,). (Entered: 10/03/2023) |
| 10/03/2023 |  <u>230</u> | SEALED REPLY to Response to Motion re <u>176</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i>) filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 | | NOTICE of Deficiency regarding the 229 submitted Needs Certificate of Authorization to file under seal and Certificate of Service. Correction should |





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| | | be made by one business day (ch,) (Entered: 10/03/2023) |
| 10/03/2023 | <u>231</u> | Additional Attachments to Main Document: <u>230</u> Sealed Reply to Response to Motion,.. (Attachments: # <u>1</u> Exhibit W, # <u>2</u> Exhibit X)(Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>232</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>228</u> Reply to Response to Motion,. DECLARATION OF ELIZABETH LONG IN SUPPORT OF CHARTER'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M)(Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>233</u> | SEALED REPLY to Response to Motion re <u>166</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. SOURI'S IMPROPER OPINIONS</i> filed by Charter Communications, Inc..CHARTER'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO STRIKEDR. SOURI'S IMPROPER OPINIONS (Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>234</u> | SEALED REPLY to Response to Motion re <u>171</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> DECLARATION OF ELIZABETH LONG IN SUPPORT OF CHARTER'S MOTION TO STRIKE ENTROPICS IMPROPER SECONDARY CONSIDERATIONS POSITIONS(Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 | <u>235</u> | REPLY to Response to Motion re <u>168</u> MOTION to Strike <i>Opinions of Steven Goldberg filed by Entropic Communications, LLC.</i> (Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 | <u>236</u> | REPLY to Response to Motion re <u>170</u> MOTION for Summary Judgment <i>Of No Invalidity Under 32 U.S.C. §§ 102 & 103 filed by Entropic Communications, LLC.</i> (Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>237</u> | SEALED REPLY to Response to Motion re <u>177</u> SEALED MOTION <i>for Summary Judgment of No License Defense Based on DOCSIS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit E)(Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>238</u> | SEALED REPLY to Response to Motion re <u>180</u> SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> filed by Entropic Communications, LLC. (Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>239</u> | SEALED REPLY to Response to Motion re <u>169</u> SEALED MOTION <i>CHARTER'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration OF ELIZABETH LONG IN SUPPORT OF CHARTER'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE THE OPINIONS OF STEPHEN DELL, # <u>2</u> Exhibit L, # <u>3</u> Exhibit M)(Long, Elizabeth) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>240</u> | SEALED REPLY to Response to Motion re <u>174</u> SEALED MOTION <i>to Strike Opinions of Christopher Bakewell</i> filed by Entropic Communications, LLC. (Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>241</u> | SEALED REPLY to Response to Motion re <u>175</u> SEALED MOTION <i>to Strike Opinions of Dr. Kevin Almeroth</i> filed by Entropic Communications, LLC. |



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| | | (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit K)(Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>242</u> | SEALED REPLY to Response to Motion re <u>179</u> SEALED MOTION of <i>Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> filed by Entropic Communications, LLC. (Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 | <u>243</u> | REPLY to Response to Motion re <u>181</u> MOTION for Summary Judgment of <i>Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit C)(Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>244</u> | OPPOSED SEALED MOTION for <i>Leave to File Out of Time Plaintiff's Motion to Compel Testimony and Documents Improperly Withheld as Privileged</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Nicholas Lenning, # <u>2</u> Lenning Declaration, Ex. A, # <u>3</u> Lenning Declaration, Ex. B, # <u>4</u> Lenning Declaration, Ex. C, # <u>5</u> Lenning Declaration, Ex. D, # <u>6</u> Lenning Declaration, Ex. E, # <u>7</u> Lenning Declaration, Ex. F, # <u>8</u> Lenning Declaration, Ex. G, # <u>9</u> Lenning Declaration, Ex. H, # <u>10</u> Lenning Declaration, Ex. I, # <u>11</u> Lenning Declaration, Ex. J, # <u>12</u> Lenning Declaration, Ex. K, # <u>13</u> Declaration of Peter Soskin, # <u>14</u> Soskin Declaration, Ex. A, # <u>15</u> Soskin Declaration, Ex. B, # <u>16</u> Soskin Declaration, Ex. C, # <u>17</u> Proposed Order)(Shimota, James) (Entered: 10/03/2023) |
| 10/03/2023 |  <u>245</u> | OPPOSED SEALED MOTION to <i>Compel Testimony and Documents Improperly Withheld as Privileged</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Nicholas Lenning, # <u>2</u> Lenning Declaration, Ex. A, # <u>3</u> Lenning Declaration, Ex. B, # <u>4</u> Lenning Declaration, Ex. C, # <u>5</u> Lenning Declaration, Ex. D, # <u>6</u> Lenning Declaration, Ex. E, # <u>7</u> Lenning Declaration, Ex. F, # <u>8</u> Lenning Declaration, Ex. G, # <u>9</u> Lenning Declaration, Ex. H, # <u>10</u> Lenning Declaration, Ex. I, # <u>11</u> Lenning Declaration, Ex. J, # <u>12</u> Lenning Declaration, Ex. K, # <u>13</u> Lenning Declaration, Ex. L, # <u>14</u> Lenning Declaration, Ex. M, # <u>15</u> Lenning Declaration, Ex. N, # <u>16</u> Lenning Declaration, Ex. O, # <u>17</u> Declaration of Peter Soskin, # <u>18</u> Soskin Declaration, Ex. A, # <u>19</u> Soskin Declaration, Ex. B, # <u>20</u> Soskin Declaration, Ex. C, # <u>21</u> Proposed Order)(Shimota, James) (Entered: 10/03/2023) |
| 10/10/2023 | <u>246</u> | SUR-REPLY to Reply to Response to Motion re <u>172</u> SEALED MOTION (<i>CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i>) filed by Entropic Communications, LLC. (Shimota, James) (Entered: 10/10/2023) |
| 10/10/2023 | <u>247</u> | REDACTION to <u>217</u> Sealed Reply to Response to Motion to <i>Strike Dr. Kramer's Improper Opinions</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>248</u> | REDACTION to <u>218</u> Sealed Reply to Response to Motion, <i>FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit) (Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>249</u> | REDACTION to <u>230</u> Sealed Reply to Response to Motion, <i>FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/10/2023) |



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| 10/10/2023 | <u>250</u> | REDACTION to <u>233</u> Sealed Reply to Response to Motion, <i>TO STRIKE DR. SOURIS IMPROPER OPINIONS</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>251</u> | REDACTION to <u>234</u> Sealed Reply to Response to Motion, <i>TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration)(Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>252</u> | REDACTION to <u>239</u> Sealed Reply to Response to Motion, <i>TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>253</u> | REDACTION to <u>232</u> Sealed Additional Attachments to Main Document, <i>228 Reply to Response to Motion,. DECLARATION OF ELIZABETH LONG IN SUPPORT OF CHARTER'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Long, Elizabeth) (Entered: 10/10/2023) |
| 10/10/2023 | <u>254</u> | SUR-REPLY to Reply to Response to Motion re <u>167</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. KRAMER'S IMPROPER OPINIONS filed by Entropic Communications, LLC.</i> (Shimota, James) (Entered: 10/10/2023) |
| 10/10/2023 |  <u>255</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>254</u> Sur-Reply to Reply to Response to Motion (Declaration of James Shimota in Support of Entropic's Sur-Reply) (Attachments: # <u>1</u> Exhibit H)(Shimota, James) (Entered: 10/10/2023) |
| 10/10/2023 | <u>256</u> | SUR-REPLY to Reply to Response to Motion re <u>173</u> SEALED MOTION <i>(CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT)</i> filed by <i>Entropic Communications, LLC.</i> (Shimota, James) (Entered: 10/10/2023) |
| 10/10/2023 |  <u>257</u> | OPPOSED SEALED MOTION <i>in Limine</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Proposed Order)(Brown, Melissa) (Entered: 10/10/2023) |
| 10/10/2023 |  <u>258</u> | OPPOSED SEALED MOTION <i>IN LIMINE</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> SEALED Declaration of Michael T. Pieja, # <u>2</u> Exhibit A - SEALED Boglioli 8-11-23 Dep Tr (excerpts), # <u>3</u> Exhibit B - SEALED Entropic Witness List, # <u>4</u> Exhibit C - SEALED Charter Witness List, # <u>5</u> Exhibit D - SEALED Bakewell Reb. Rpt. (excerpts), # <u>6</u> Exhibit E - SEALED Dell Rpt. (excerpts), # <u>7</u> Exhibit F - SEALED Kirchoff 8-16-23 Dep Tr (excerpts), # <u>8</u> Exhibit G - SEALED Cangiane 07-17-23 Dep Tr (excerpts), # <u>9</u> Exhibit H - SEALED Almeroth Reb. Rpt. (excerpts), # <u>10</u> Proposed Order) (Pieja, Michael) (Entered: 10/10/2023) |
| 10/11/2023 | <u>259</u> | RESPONSE in Opposition re <u>216</u> OPPOSED MOTION to Amend/Correct <i>Docket Control Order filed by Entropic Communications, LLC.</i> (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 10/11/2023) |





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| 10/11/2023 |  <u>260</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>166</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE DR. SOURI'S IMPROPER OPINIONS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit P)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>261</u> | REDACTION to <u>141</u> SEALED MOTION <i>to Strike the Expert Report of David O. Taylor</i> by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>262</u> | SUR-REPLY to Reply to Response to Motion re <u>168</u> MOTION to Strike <i>Opinions of Steven Goldberg</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 | <u>263</u> | REDACTION to <u>151</u> Sealed Reply to Response to Motion by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>264</u> | SUR-REPLY to Reply to Response to Motion re <u>170</u> MOTION for Summary Judgment <i>Of No Invalidity Under 32 U.S.C. §§ 102 & 103</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 | <u>265</u> | REDACTION to <u>174</u> SEALED MOTION <i>to Strike Opinions of Christopher Bakewell</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota, # <u>2</u> Affidavit/Declaration of Darlene Ghavimi)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>266</u> | SUR-REPLY to Reply to Response to Motion re <u>181</u> MOTION for Summary Judgment <i>of Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>267</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>177</u> SEALED MOTION <i>for Summary Judgment of No License Defense Based on DOCSIS</i> filed by Charter Communications, Inc. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>268</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>179</u> SEALED MOTION <i>of Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 | <u>269</u> | REDACTION to <u>175</u> SEALED MOTION <i>to Strike Opinions of Dr. Kevin Almeroth</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>270</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>180</u> SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>271</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>174</u> SEALED MOTION <i>to Strike Opinions of Christopher Bakewell</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 | <u>272</u> | REDACTION to <u>177</u> SEALED MOTION <i>for Summary Judgment of No License Defense Based on DOCSIS</i> by Entropic Communications, LLC. |


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| | | (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>273</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>175</u> SEALED MOTION <i>to Strike Opinions of Dr. Kevin Almeroth</i> filed by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/11/2023) |
| 10/11/2023 | <u>274</u> | REDACTION to <u>179</u> SEALED MOTION <i>of Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>275</u> | REDACTION to <u>180</u> SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Affidavit/Declaration of James Shimota)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>276</u> | REDACTION to <u>237</u> Sealed Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>277</u> | REDACTION to <u>238</u> Sealed Reply to Response to Motion by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>278</u> | REDACTION to <u>240</u> Sealed Reply to Response to Motion by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>279</u> | REDACTION to <u>241</u> Sealed Reply to Response to Motion by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 | <u>280</u> | REDACTION to <u>242</u> Sealed Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>281</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>169</u> SEALED MOTION <i>CHARTER'S MOTION TO EXCLUDE THE EXPERT OPINIONS OF STEPHEN DELL</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Nicholas Lenning, # <u>2</u> Lenning Declaration, Ex. A) (Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>282</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>171</u> SEALED MOTION <i>CHARTER'S MOTION TO STRIKE ENTROPIC'S IMPROPER SECONDARY CONSIDERATIONS POSITIONS</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Nicholas Lenning, # <u>2</u> Lenning Declaration, Ex. A)(Shimota, James) (Entered: 10/11/2023) |
| 10/11/2023 |  <u>283</u> | SEALED SUR-REPLY to Reply to Response to Motion re <u>176</u> SEALED MOTION <i>(CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS)</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of James Shimota, # <u>2</u> Exhibit A)(Shimota, James) (Entered: 10/11/2023) |
| 10/12/2023 | <u>284</u> | NOTICE by Entropic Communications, LLC <i>of Request for Daily Trial Transcripts and Real-Time Reporting</i> (Fair, Andrea) (Entered: 10/12/2023) |
| 10/13/2023 | <u>285</u> | NOTICE by Charter Communications, Inc. <i>NOTICE OF REQUEST FOR DAILY TRANSCRIPTS AND REAL TIME REPORTING</i> (Long, Elizabeth) (Entered: 10/13/2023) |


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| 10/13/2023 | <u>286</u> | NOTICE of Attorney Appearance by Johnny Ward, Jr on behalf of Entropic Communications, LLC (Ward, Johnny) (Entered: 10/13/2023) |
| 10/13/2023 | <u>287</u> | OPPOSED MOTION for Leave to File <i>Out of Time Plaintiff's Supplemental Motion to Strike Opinions of Christopher Bakewell</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 10/13/2023) |
| 10/13/2023 |  <u>288</u> | *** DEFICIENT DOCUMENT *** SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>287</u> OPPOSED MOTION for Leave to File <i>Out of Time Plaintiff's Supplemental Motion to Strike Opinions of Christopher Bakewell</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Shimota, James) Modified on 10/16/2023 (ch,). (Entered: 10/13/2023) |
| 10/13/2023 | <u>289</u> | MOTION to Strike <i>Supplemental Motion to Strike Opinions of Christopher Bakewell</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 10/13/2023) |
| 10/13/2023 |  <u>290</u> | *** DEFICIENT DOCUMENT *** SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>289</u> MOTION to Strike <i>Supplemental Motion to Strike Opinions of Christopher Bakewell</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Shimota, James) Modified on 10/16/2023 (ch,). (Entered: 10/13/2023) |
| 10/16/2023 | | NOTICE of Deficiency regarding the 288 submitted Needs Certificate of Authorization to file under seal and Certificate of Service. Correction should be made by one business day (ch,) (Entered: 10/16/2023) |
| 10/16/2023 | | NOTICE of Deficiency regarding the 290 submitted Needs Certificate of Authorization to file under seal and Certificate of Service. Correction should be made by one business day (ch,) (Entered: 10/16/2023) |
| 10/16/2023 |  <u>291</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>287</u> OPPOSED MOTION for Leave to File <i>Out of Time Plaintiff's Supplemental Motion to Strike Opinions of Christopher Bakewell</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 |  <u>292</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>289</u> MOTION to Strike <i>Supplemental Motion to Strike Opinions of Christopher Bakewell</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>293</u> | REDACTION to <u>196</u> Sealed Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>294</u> | REDACTION to <u>201</u> Sealed Response to Motion,, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>295</u> | REDACTION to <u>203</u> Sealed Response to Motion,, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>296</u> | REDACTION to <u>205</u> Sealed Response to Motion,, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |

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| 10/16/2023 | <u>297</u> | REDACTION to <u>210</u> Sealed Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>298</u> | REDACTION to <u>260</u> Sealed Sur-Reply to Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>299</u> | REDACTION to <u>281</u> Sealed Sur-Reply to Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>300</u> | REDACTION to <u>282</u> Sealed Sur-Reply to Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>301</u> | REDACTION to <u>283</u> Sealed Sur-Reply to Reply to Response to Motion, by Entropic Communications, LLC. (Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 | <u>302</u> | OPPOSED MOTION for Leave to Serve Mr. Dell's Third Supplemental Expert Report Out of Time by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 10/16/2023) |
| 10/16/2023 |  <u>303</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document:. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Shimota, James) (Entered: 10/16/2023) |
| 10/17/2023 | <u>304</u> | REDACTION to <u>258</u> OPPOSED SEALED MOTION <i>IN LIMINE</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Michael T. Pieja, # <u>2</u> Additional Attachment(s) Exhibits A-H Filed Under Seal)(Pieja, Michael) (Entered: 10/17/2023) |
| 10/17/2023 | <u>305</u> | REPLY to Response to Motion re <u>216</u> OPPOSED MOTION to Amend/Correct <i>Docket Control Order filed by Charter Communications, Inc..</i> (Long, Elizabeth) (Entered: 10/17/2023) |
| 10/17/2023 | | Pretrial Conference originally set for 10/30/2023 has been RESET for 11/6/2023 at 09:00 AM in Ctrm 106 (Marshall) before District Judge Rodney Gilstrap. (aeb) (Entered: 10/17/2023) |
| 10/17/2023 | <u>306</u> | NOTICE of Attorney Appearance by William Owen Young, Jr on behalf of Charter Communications, Inc. (Young, William) (Entered: 10/17/2023) |
| 10/17/2023 | <u>307</u> | REDACTION to <u>257</u> OPPOSED SEALED MOTION <i>in Limine</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit A (under seal), # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D - O (under seal), # <u>6</u> Proposed Order)(Brown, Melissa) (Entered: 10/17/2023) |
| 10/18/2023 | <u>308</u> | AGREED MOTION to Amend/Correct <u>195</u> Order on Motion to Amend/Correct by Entropic Communications, LLC. (Shimota, James) (Entered: 10/18/2023) |
| 10/18/2023 | <u>309</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Thomas J. Carr on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9764999. (Carr, Thomas) (Entered: 10/18/2023) |
| 10/18/2023 | <u>310</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Natalie Steiert on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9765076. (Steiert, Natalie) (Entered: 10/18/2023) |
| 10/18/2023 |  <u>311</u> | SEALED RESPONSE to Motion re <u>244</u> OPPOSED SEALED MOTION <i>for Leave to File Out of Time Plaintiff's Motion to Compel Testimony and Documents Improperly Withheld as Privileged</i> filed by Charter Communications, Inc. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # |














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| | | <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Proposed Order)(Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 |  <u>312</u> | SEALED RESPONSE to Motion re <u>245</u> OPPOSED SEALED MOTION <i>to Compel Testimony and Documents Improperly Withheld as Privileged</i> filed by Charter Communications, Inc. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Proposed Order)(Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>313</u> | UNOPPOSED MOTION to Withdraw as Attorney <i>Paul I. Margulies</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>314</u> | REDACTION to <u>267</u> Sealed Sur-Reply to Reply to Response to Motion <i>FOR SUMMARY JUDGMENT OF NO LICENSE DEFENSE BASED ON DOCSIS</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>315</u> | REDACTION to <u>268</u> Sealed Sur-Reply to Reply to Response to Motion, <i>PARTIAL SUMMARY JUDGMENT THAT DEVICES WITH MAXLINEAR CHIPS ARE NOT NON-INFRINGEMENTALTERNATIVES AFFECTING THE REASONABLE ROYALTY RATE</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>316</u> | REDACTION to <u>270</u> Sealed Sur-Reply to Reply to Response to Motion <i>FOR SUMMARY JUDGMENT OF NO UNCLEAN HANDS DEFENSE</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>317</u> | REDACTION to <u>271</u> Sealed Sur-Reply to Reply to Response to Motion <i>TO STRIKE OPINIONS OF CHRISTOPHER BAKEWELL</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/18/2023) |
| 10/18/2023 | <u>318</u> | REDACTION to <u>273</u> Sealed Sur-Reply to Reply to Response to Motion <i>TO STRIKE OPINIONS OF DR. KEVIN ALMEROTH</i> by Charter Communications, Inc.. (Long, Elizabeth) (Entered: 10/18/2023) |
| 10/19/2023 | <u>319</u> | SEVENTH AMENDED DOCKET CONTROL ORDER granting <u>308</u> Motion to Amend/Correct. Signed by District Judge Rodney Gilstrap on 10/19/2023. (ch,) (Entered: 10/20/2023) |
| 10/19/2023 | <u>320</u> | ORDER granting <u>313</u> Motion to Withdraw as Attorney. Attorney Paul Isaac Margulies terminated. Signed by District Judge Rodney Gilstrap on 10/19/2023. (ch,) (Entered: 10/20/2023) |
| 10/20/2023 | <u>321</u> | NOTICE by Entropic Communications, LLC re <u>244</u> OPPOSED SEALED MOTION <i>for Leave to File Out of Time Plaintiff's Motion to Compel Testimony and Documents Improperly Withheld as Privileged Fully Briefed - Notice to Forgo Reply</i> (Shimota, James) (Entered: 10/20/2023) |
| 10/20/2023 | <u>322</u> | NOTICE by Entropic Communications, LLC re <u>245</u> OPPOSED SEALED MOTION <i>to Compel Testimony and Documents Improperly Withheld as Privileged Fully Briefed - Notice to Forgo Reply</i> (Shimota, James) (Entered: 10/20/2023) |
| 10/23/2023 |  <u>323</u> | SEALED RESPONSE to Motion re <u>258</u> OPPOSED SEALED MOTION <i>IN LIMINE</i> filed by Charter Communications, Inc. (Attachments: # <u>1</u> Affidavit/Declaration Long Decl ISO Charter Response to Entropic's MILs, # <u>2</u> Exhibit Ex. I, # <u>3</u> Exhibit Ex. J, # <u>4</u> Exhibit Ex. K, # <u>5</u> Exhibit Ex. L, # <u>6</u> |



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| | | Exhibit Ex. M, # <u>7</u> Exhibit Ex. N, # <u>8</u> Exhibit Ex. O, # <u>9</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 10/23/2023) |
| 10/23/2023 |  <u>324</u> | SEALED RESPONSE to Motion re <u>257</u> OPPOSED SEALED MOTION <i>in Limine filed by Entropic Communications, LLC.</i> (Attachments: # <u>1</u> SEALED Declaration of Michael T. Pieja, # <u>2</u> Exhibit P - SEALED Goldberg Rpt (excerpts), # <u>3</u> Exhibit Q - SEALED Interrog Resp (excerpts), # <u>4</u> Proposed Order)(Pieja, Michael) (Entered: 10/23/2023) |
| 10/25/2023 | <u>325</u> | REDACTION to <u>311</u> Sealed Response to Motion, <i>FOR LEAVE TO FILE OUT OF TIME PLAINTIFFS MOTION TO COMPEL</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Proposed Order)(Long, Elizabeth) (Entered: 10/25/2023) |
| 10/25/2023 | <u>326</u> | REDACTION to <u>312</u> Sealed Response to Motion, <i>to Compel Testimony and Documents Improperly Withheld as Privilege</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Proposed Order)(Long, Elizabeth) (Entered: 10/25/2023) |
| 10/30/2023 | <u>327</u> | REDACTION to <u>323</u> Sealed Response to Motion, <i>MOTION IN LIMINE</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Long Decl ISO Charter Response to Entropic's MILs, # <u>2</u> Exhibit Ex. I, # <u>3</u> Exhibit Ex. J, # <u>4</u> Exhibit Ex. K, # <u>5</u> Exhibit Ex. L, # <u>6</u> Exhibit Ex. M, # <u>7</u> Exhibit Ex. N, # <u>8</u> Exhibit Ex. O, # <u>9</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 10/30/2023) |
| 10/30/2023 | <u>328</u> | RESPONSE in Opposition re <u>287</u> OPPOSED MOTION for Leave to File <i>Out of Time Plaintiff's Supplemental Motion to Strike Opinions of Christopher Bakewell filed by Charter Communications, Inc..</i> (Attachments: # <u>1</u> Proposed Order)(Long, Elizabeth) (Entered: 10/30/2023) |
| 10/30/2023 |  <u>329</u> | SEALED RESPONSE to Motion re <u>289</u> MOTION to Strike <i>Supplemental Motion to Strike Opinions of Christopher Bakewell</i> filed by Charter Communications, Inc. (Attachments: # <u>1</u> Affidavit/Declaration Long Decl ISO Charter Opp'n to Motion to Strike Bakewell, # <u>2</u> Exhibit Ex. A, # <u>3</u> Exhibit Ex. B, # <u>4</u> Exhibit Ex. C, # <u>5</u> Exhibit Ex. D, # <u>6</u> Exhibit Ex. E, # <u>7</u> Exhibit Ex. F, # <u>8</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 10/30/2023) |
| 10/30/2023 | <u>330</u> | RESPONSE in Opposition re <u>302</u> OPPOSED MOTION for Leave to Serve Mr. Dell's Third Supplemental Expert Report Out of Time <i>filed by Charter Communications, Inc..</i> (Attachments: # <u>1</u> Proposed Order Proposed Order) (Long, Elizabeth) (Entered: 10/30/2023) |
| 10/30/2023 |  <u>331</u> | SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>330</u> Response in Opposition to Motion, (Attachments: # <u>1</u> Exhibit Ex. C, # <u>2</u> Exhibit Ex. D, # <u>3</u> Exhibit Ex. E)(Long, Elizabeth) (Entered: 10/30/2023) |
| 10/30/2023 | <u>332</u> | REDACTION to <u>324</u> Sealed Response to Motion, by Entropic Communications, LLC. (Attachments: # <u>1</u> Declaration of Michael T. Pieja, # <u>2</u> Exhibit P - Goldberg Rpt (excerpts), # <u>3</u> Exhibit Q - Filed Under Seal, # <u>4</u> Proposed Order)(Pieja, Michael) (Entered: 10/30/2023) |
| 10/31/2023 |  <u>333</u> | Sealed Document. Joint Proposed Pretrial Order (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Shimota, James) (Entered: 10/31/2023) |



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| 10/31/2023 | <u>334</u> | ORDER - REFERS the above-captioned case to the Honorable Roy S. Payne for the limited and sole purpose of resolving any pretrial matters at a date to be set by the Magistrate Judge. It is ORDERED that the November 6, 2023 pretrial conference before the undersigned are canceled. Signed by District Judge Rodney Gilstrap on 10/31/2023. (ch,) (Entered: 10/31/2023) |
| 11/01/2023 | | NOTICE of Hearing: Pretrial Conference set for 11/15/2023 at 09:00 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 11/01/2023) |
| 11/03/2023 | <u>335</u> | NOTICE by Charter Communications, Inc. <i>Disclosures Pursuant to 35 U.S.C. § 282</i> (Long, Elizabeth) (Entered: 11/03/2023) |
| 11/06/2023 | | NOTICE of Hearing: Pretrial Conference RESET for 11/15/2023 at 10:00 AM before Magistrate Judge Roy S. Payne. *Note that only the TIME has changed*(bga) (Entered: 11/06/2023) |
| 11/06/2023 | <u>336</u> | REDACTION to <u>329</u> Sealed Response to Motion, <i>to Strike Opinions of Christopher Bakewell</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Long declaration, # <u>2</u> Exhibit Ex. A, # <u>3</u> Exhibit Ex. B, # <u>4</u> Exhibit Ex. C, # <u>5</u> Exhibit Ex. D, # <u>6</u> Exhibit Ex. E, # <u>7</u> Exhibit Ex. F, # <u>8</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 11/06/2023) |
| 11/06/2023 | <u>337</u> | REDACTION to <u>331</u> Sealed Additional Attachments to Main Document by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit Ex. C, # <u>2</u> Exhibit Ex. D, # <u>3</u> Exhibit Ex. E)(Long, Elizabeth) (Entered: 11/06/2023) |
| 11/07/2023 | | NOTICE of Hearing: Jury Selection originally scheduled for 12/4/2023 has been RESET for 12/11/2023 at 09:00 AM followed by Trial Day 1 in Ctrm 106 (Marshall) before District Judge Rodney Gilstrap. (aeb) (Entered: 11/07/2023) |
| 11/14/2023 |  <u>338</u> | Sealed Document. Joint Notice of Filing of Amended Exhibit Lists to Joint Proposed Pretrial Order (Dkt. 333) (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F, # <u>3</u> Exhibit G)(Shimota, James) (Entered: 11/14/2023) |
| 11/15/2023 | <u>339</u> | PAPER TRANSCRIPT REQUEST by Charter Communications, Inc. for proceedings held on 11-15-2023 - Pretrial Hearing before Judge Payne. (Dacus, Deron) (forwarded to Ed Reed) Modified on 11/15/2023 (ch,). (Entered: 11/15/2023) |
| 11/15/2023 | <u>340</u> | Minute Entry for proceedings held before Magistrate Judge Roy S. Payne: Initial Pretrial Conference held on 11/15/2023. from 10:10 am - 2:06 pm (No exhibits)(Court Reporter Ed Reed.) (Attachments: # <u>1</u> Attorney Sign-In Sheet) (bga) (Entered: 11/15/2023) |
| 11/15/2023 | | NOTICE of Hearing: Final Pretrial Conference set for 12/8/2023 at 09:30 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 11/15/2023) |
| 11/15/2023 | <u>341</u> | PAPER TRANSCRIPT REQUEST by Entropic Communications, LLC for proceedings held on 11/15/2023; Pre-Trial Hearing before Judge Judge Roy S. Payne. (Fair, Andrea) (forwarded to Ed Reed) Modified on 11/15/2023 (ch,). (Entered: 11/15/2023) |
| 11/16/2023 | <u>342</u> | REPORT AND RECOMMENDATIONS re <u>172</u> SEALED MOTION (<i>CHARTER'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES</i>) filed by Charter Communications, Inc... Signed by Magistrate Judge Roy S. Payne on 11/16/2023. (ch,) (Entered: 11/16/2023) |
| 11/16/2023 | <u>343</u> | ORDER ON MOTIONS IN LIMINE. Signed by Magistrate Judge Roy S. |


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| | | Payne on 11/16/2023. (ch,) (Entered: 11/17/2023) |
| 11/20/2023 | <u>344</u> | ORDER TO PURCHASE JURY MEALS. Signed by District Judge Rodney Gilstrap on 11/17/2023. (klc,) (Entered: 11/20/2023) |
| 11/20/2023 | <u>345</u> | ORDER REGARDING EXHIBITS. Signed by District Judge Rodney Gilstrap on 11/17/2023. (klc,) (Entered: 11/20/2023) |
| 11/21/2023 | <u>346</u> | UNOPPOSED MOTION to Withdraw as Attorney <i>Jacob Bass</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order) (Long, Elizabeth) (Entered: 11/21/2023) |
| 11/22/2023 |  <u>347</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Pretrial Conference Proceedings held on 11/15/2023 before Judge Roy Payne. Court Reporter/Transcriber: Ed Reed, Telephone number: 409-330-1605.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Motion to Redact due 12/13/2023. Release of Transcript Restriction set for 2/20/2024. (klc,) Modified on 12/1/2023 (bga). (Entered: 11/22/2023)</p> |
| 11/27/2023 | <u>348</u> | REPORT AND RECOMMENDATIONS re <u>180</u> SEALED MOTION <i>for Summary Judgment of No Unclean Hands Defense</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 11/27/2023. (nkl,) (Entered: 11/27/2023) |
| 11/27/2023 | <u>349</u> | REPORT AND RECOMMENDATIONS re <u>179</u> SEALED MOTION <i>of Partial Summary Judgment That Devices With MaxLinear Chips are Not Non-Infringing Alternatives Affecting the Reasonable Royalty Rate</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 11/27/2023. (nkl,) (Entered: 11/27/2023) |
| 11/27/2023 | <u>350</u> | ORDER granting <u>346</u> Motion to Withdraw as Attorney. Attorney Jacob Michael Bass terminated. Signed by District Judge Rodney Gilstrap on 11/27/2023. (klc,) (Entered: 11/27/2023) |
| 11/28/2023 | <u>351</u> | MEMORANDUM ORDER - Court finds that the Motion (Dkt. No. 167) should be and hereby is GRANTED-IN-PART and DENEIED-IN-PART. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/28/2023 | <u>352</u> | MEMORANDUM ORDER - For the foregoing reasons, the Motion to Strike (Dkt. No. 171) is DENIED. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/28/2023 | <u>353</u> | MEMORANDUM ORDER - For the foregoing reasons, the Court finds that the Motion for Leave (Dkt. No. 287) should be and hereby is GRANTED. Court finds that the Supplemental Motion to Strike (Dkt. No. 289) should be and hereby is DENIED. Court finds that the Motion to Strike <u>174</u> should be |




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| | | GRANTED-IN-PART and DENIED-IN-PART,. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/28/2023 | <u>354</u> | REPORT AND RECOMMENDATIONS re <u>176</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE '682 AND '690 PATENTS</i>) filed by Charter Communications, Inc... Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/28/2023 | <u>355</u> | MEMORANDUM ORDER - Court finds that the Motion for Leave (Dkt. No. 244) should be and hereby is DENIED. Court finds that the Motion to Compel (Dkt. No. 245) should be and hereby is DENIED.. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/28/2023 | <u>356</u> | MEMORANDUM ORDER - For the foregoing reasons, the Court finds that the Motion (Dkt. No. 302) should be and hereby is GRANTED. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (ch,) (Entered: 11/29/2023) |
| 11/29/2023 | <u>357</u> | REPORT AND RECOMMENDATIONS re <u>177</u> SEALED MOTION <i>for Summary Judgment of No License Defense Based on DOCSIS</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 11/28/2023. (nkl,) (Entered: 11/29/2023) |
| 11/29/2023 | <u>358</u> | MEMORANDUM ORDER re <u>175</u> SEALED MOTION <i>to Strike Opinions of Dr. Kevin Almeroth</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 11/29/2023. (nkl,) (Entered: 11/29/2023) |
| 11/29/2023 | <u>359</u> | MEMORANDUM ORDER - For the foregoing reasons, the motion (Dkt. No. 166) is GRANTED-IN-PART and DENIED-IN-PART. Signed by Magistrate Judge Roy S. Payne on 11/29/2023. (ch,) (Entered: 11/30/2023) |
| 11/30/2023 | <u>360</u> | JOINT NOTICE by Entropic Communications, LLC <i>of Readiness for Trial</i> (Fair, Andrea) (Entered: 11/30/2023) |
| 11/30/2023 | <u>361</u> | OBJECTION to <u>342</u> Report and Recommendations <i>Denying Charter's Motion for Partial Summary Judgment of No Pre-Suit Damages (Dkt. 172)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order) (Long, Elizabeth) (Entered: 11/30/2023) |
| 12/01/2023 | <u>362</u> | REPORT AND RECOMMENDATIONS re <u>170</u> MOTION for Summary Judgment <i>Of No Invalidity Under 32 U.S.C. §§ 102 & 103</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 12/1/2023. (ch,) (Entered: 12/01/2023) |
| 12/01/2023 | <u>363</u> | REPORT AND RECOMMENDATIONS re <u>173</u> SEALED MOTION (<i>CHARTER'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE ASSERTED CLAIMS OF THE '362 PATENT</i>) filed by Charter Communications, Inc... Signed by Magistrate Judge Roy S. Payne on 12/1/2023. (ch,) (Entered: 12/01/2023) |
| 12/01/2023 | <u>364</u> | REPORT AND RECOMMENDATIONS re <u>181</u> MOTION for Summary Judgment <i>of Validity Under 35 U.S.C. § 101 (CORRECTION OF ECF DOCUMENT TITLE)</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 12/1/2023. (ch,) (Entered: 12/01/2023) |
| 12/05/2023 | <u>365</u> | NOTICE of Attorney Appearance by William Loudon on behalf of Charter Communications, Inc. (Louden, William) (Entered: 12/05/2023) |




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| 12/05/2023 |  | <u>366</u> | MEMORANDUM ORDER re <u>141</u> SEALED MOTION to <i>Strike the Expert Report of David O. Taylor</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 12/5/2023. (nkl,) (Entered: 12/05/2023) |
| 12/05/2023 |  | <u>367</u> | MEMORANDUM ORDER re <u>168</u> MOTION to Strike <i>Opinions of Steven Goldberg</i> filed by Entropic Communications, LLC.. Signed by Magistrate Judge Roy S. Payne on 12/5/2023. (nkl,) (Entered: 12/05/2023) |
| 12/05/2023 |   | <u>368</u> | *SEALED* SEALED MEMORANDUM ORDER. Signed by Magistrate Judge Roy S. Payne on 12/5/2023. (nkl,) (Entered: 12/05/2023) |
| 12/06/2023 |  | <u>369</u> | MEMORANDUM ORDER - granting <u>216</u> OPPOSED MOTION to Amend/Correct Docket Control Order. Signed by Magistrate Judge Roy S. Payne on 12/6/2023. (ch,) (Entered: 12/06/2023) |
| 12/06/2023 |  | <u>370</u> | NOTICE of Attorney Appearance - Pro Hac Vice by Zachary Nemirovsky on behalf of Charter Communications, Inc.. Filing fee \$ 100, receipt number ATXEDC-9855784. (Nemirovsky, Zachary) (Entered: 12/06/2023) |
| 12/06/2023 |  | <u>371</u> | OPPOSED SEALED MOTION <i>For Protective Order From The Courts Memorandum Order (Dkt. 358) Granting-In-Part And Denying-In-Part Entropics Motion To Strike The Expert Report Of Dr. Kevin Almeroth (Dkt. 175)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Long declaration, # <u>2</u> Exhibit Ex. A, # <u>3</u> Exhibit Ex. B, # <u>4</u> Exhibit Ex. C, # <u>5</u> Exhibit Ex. D, # <u>6</u> Exhibit Ex. E, # <u>7</u> Exhibit Ex. F, # <u>8</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/06/2023) |
| 12/06/2023 |  | <u>372</u> | Sealed Document. Plaintiff's Notice of Outstanding Issues (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Shimota, James) (Entered: 12/06/2023) |
| 12/06/2023 |  | <u>373</u> | MOTION to Dismiss <i>Under Rule 41 (Count II ('690 Patent), Count IV ('362 Patent) and Count V ('826 Patent))</i> by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 12/06/2023) |
| 12/07/2023 |  | <u>374</u> | RESPONSE in Opposition re <u>371</u> OPPOSED SEALED MOTION <i>For Protective Order From The Courts Memorandum Order (Dkt. 358) Granting-In-Part And Denying-In-Part Entropics Motion To Strike The Expert Report Of Dr. Kevin Almeroth (Dkt. 175)</i> filed by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Shimota, James) (Entered: 12/07/2023) |
| 12/07/2023 |  | <u>375</u> | OBJECTION to <u>349</u> Report and Recommendations <i>(Dkt. 349) Granting-In-Part And Denying-In-Part Entropics Motion For Partial Summary Judgment That Devices With MaxLinear Chips Are Not Non-Infringing Alternatives Affecting The Reasonable Royalty (Dkt. 179)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  | <u>376</u> | OBJECTION to <u>363</u> Report and Recommendations <i>Denying Charters Motion For Summary Judgment Of Invalidity Of The Asserted Claims Of The 362 Patent (Dkt. 173)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  | <u>377</u> | OBJECTION to <u>364</u> Report and Recommendations <i>Granting Entropics Motion For Summary Judgment Of No Invalidity Under 35 U.S.C. § 101 (Dkt. 181)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |

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| 12/07/2023 | <u>378</u> | OBJECTION to <u>362</u> Report and Recommendations <i>Denying-In-Part And Granting-In-Part Entropics Motion For Summary Judgment Of No Invalidity Under 35 U.S.C. §§ 102 and 103 (Dkt. 170)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 | <u>379</u> | NOTICE by Charter Communications, Inc. <i>Objections To Memorandum Order (Dkt. 367) Granting-In-Part And Denying-In-Part Entropics Motion To Strike Opinions Of Steven Goldberg (Dkt. 168)</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 | <u>380</u> | NOTICE by Charter Communications, Inc. <i>Objection To Order (Dkt. 353) Granting-In-Part And Denying-In-Part Plaintiffs Motion To Strike The Opinions Of Christopher Bakewell (Dkt. 174)</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 | <u>381</u> | NOTICE by Charter Communications, Inc. <i>Objections To Memorandum Order (Dkt. 358) Granting-In-Part And Denying-In-Part Entropics Motion To Strike Opinions Of Dr. Kevin Almeroth (Dkt. 175)</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 | <u>382</u> | NOTICE by Charter Communications, Inc. <i>Charters Objections To Memorandum Order (Dkt. 366) Granting-In-Part And Denying-In-Part Entropics Motion To Strike The Expert Report Of David O. Taylor (Dkt. 141)</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>383</u> | Charters Objections To The Memorandum Order (Dkt. 368) Denying Charters Motion To Exclude The Opinions Of Stephen Dell (Dkt. 169) Sealed Document. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>384</u> | Charters Objections To Memorandum Order (Dkt. 351) Granting-In-Part And Denying-In-Part Charters Motion To Strike Dr. Kramers Improper Opinions (Dkt. 167) Sealed Document. (Attachments: # <u>1</u> Letter Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>385</u> | Charters Objections To Memorandum Order (Dkt. 359) Granting-In Part And Denying-In-Part Charters Motion To Strike Dr. Souris Improper Opinions (Dkt. 166) Sealed Document. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>386</u> | Charters Objection To Report And Recommendation (Dkt. 357) Granting-In-Part And Denying-In-Part Entropics Motion For Summary Judgment Of No License Defense Based On Docsis (Dkt. 177) Sealed Document. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>387</u> | Charters Objection To Report And Recommendation (Dkt. 354) Denying Its Motion For Summary Judgment Of Non-Infringement Of The Asserted Claims Of The 682 And 690 Patents (Dkt. 176) Sealed Document. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 | <u>388</u> | Additional Attachments to Main Document: <u>387</u> Sealed Document,, <i>Declaration of Elizabeth Long ISO Charter's Objection to Report and Recommendation re MSJ for Noninfringement.</i> (Attachments: # <u>1</u> Exhibit Ex. A (U.S. Patent No. 9,419,858), # <u>2</u> Exhibit Ex. B - U.S. Patent No. 9,577,886, |

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| | | # <u>3</u> Exhibit Ex. C- U.S. Patent No. 9,866,438)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/07/2023 |  <u>389</u> | Defendants Response To Plaintiffs Notice Of Outstanding Issues (Dkt. 372)Sealed Document. (Attachments: # <u>1</u> Exhibit Ex. A)(Long, Elizabeth) (Entered: 12/07/2023) |
| 12/08/2023 | <u>390</u> | RESPONSE in Opposition re <u>373</u> MOTION to Dismiss <i>Under Rule 41 (Count II ('690 Patent), Count IV ('362 Patent) and Count V ('826 Patent))</i> filed by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Long Decl ISO Charter Opp'n to MTD, # <u>2</u> Exhibit Ex. A, # <u>3</u> Proposed Order Proposed order)(Long, Elizabeth) (Entered: 12/08/2023) |
| 12/08/2023 | <u>391</u> | PAPER TRANSCRIPT REQUEST by Entropic Communications, LLC for proceedings held on 12/8/2023; Pre-Trial Hearing before Judge Judge Roy S. Payne. (Fair, Andrea) Modified on 12/8/2023 (klc,). Forwarded to Shelly Holmes on 12/8/2023 (Entered: 12/08/2023) |
| 12/08/2023 | <u>392</u> | ORDER granting <u>373</u> Motion to Dismiss Under Rule 41 (Count II ('690 Patent), Count IV ('362 Patent) and Count V ('826 Patent)). Signed by Magistrate Judge Roy S. Payne on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>393</u> | Minute Entry for proceedings held before Magistrate Judge Roy S. Payne: Motion Hearing held on 12/8/2023 re <u>371</u> OPPOSED SEALED MOTION <i>For Protective Order From The Courts Memorandum Order (Dkt. 358) Granting-In-Part And Denying-In-Part Entropics Motion To Strike The Expert Report Of Dr. Kevin Almeroth (Dkt. 175)</i> filed by Charter Communications, Inc., <u>373</u> MOTION to Dismiss <i>Under Rule 41 (Count II ('690 Patent), Count IV ('362 Patent) and Count V ('826 Patent))</i> filed by Entropic Communications, LLC, Final Pretrial Conference held on 12/8/2023. from 9:34 am - 10:54 am (No exhibits)(Court Reporter Shelly Holmes.) (Attachments: # <u>1</u> Attorney Sign-In Sheet) (bga) (Entered: 12/08/2023) |
| 12/08/2023 | <u>394</u> | ORDER re Dr. Goldberg. Signed by Magistrate Judge Roy S. Payne on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 |  <u>395</u> | Sealed Document. Joint Notice of Filing of Amended Exhibit Lists to Joint Proposed Pretrial Order (Dkt. 333) (Attachments: # <u>1</u> Exhibit F, # <u>2</u> Exhibit G) (Shimota, James) (Entered: 12/08/2023) |
| 12/08/2023 | <u>396</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>342</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>397</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>349</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>398</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>354</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>399</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>357</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>400</u> | MEMORANDUM ORDER. Signed by Magistrate Judge Roy S. Payne on 12/8/2023. (klc,) (Entered: 12/08/2023) |

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| 12/08/2023 | <u>401</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>362</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>402</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>363</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>403</u> | ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>364</u> Report and Recommendations. Signed by District Judge Rodney Gilstrap on 12/8/2023. (nkl,) (Entered: 12/08/2023) |
| 12/08/2023 | <u>404</u> | PAPER TRANSCRIPT REQUEST by Charter Communications, Inc. for proceedings held on 12-8-23 Final Pretrial before Judge Payne. (Dacus, Deron) (forwarded to Shelly Holmes) Modified on 12/11/2023 (ch,). (Entered: 12/08/2023) |
| 12/08/2023 |  <u>405</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 12/8/23 (Pretrial Hearing) before Judge Roy S. Payne. Court Reporter/Transcriber: Shelly Holmes, CSR, TCRR, Telephone number: (903) 794-1018 (Shelly_Holmes@txed.uscourts.gov).</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Motion to Redact due 12/29/2023. Release of Transcript Restriction set for 3/7/2024. (Holmes, Shelly) (Entered: 12/08/2023)</p> |
| 12/09/2023 | <u>406</u> | UNOPPOSED MOTION for Leave to Serve Mr. Dell's Fourth Supplemental Expert Report Out of Time by Entropic Communications, LLC. (Attachments: # <u>1</u> Proposed Order)(Shimota, James) (Entered: 12/09/2023) |
| 12/10/2023 | <u>407</u> | JOINT NOTICE by Entropic Communications, LLC <i>Stipulation of Dismissal</i> (Attachments: # <u>1</u> Proposed Order)(Fair, Andrea) (Entered: 12/10/2023) |
| 12/10/2023 | <u>408</u> | ORDER Dismissing Case. Signed by District Judge Rodney Gilstrap on 12/10/2023. (jnj) (Entered: 12/10/2023) |
| 12/12/2023 | <u>409</u> | REDACTION to <u>371</u> OPPOSED SEALED MOTION <i>For Protective Order From The Courts Memorandum Order (Dkt. 358) Granting-In-Part And Denying-In-Part Entropics Motion To Strike The Expert Report Of Dr. Kevin Almeroth (Dkt. 175)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Affidavit/Declaration Long declaration, # <u>2</u> Exhibit Ex. A, # <u>3</u> Exhibit Ex. B, # <u>4</u> Exhibit Ex. C, # <u>5</u> Exhibit Ex. D, # <u>6</u> Exhibit Ex. E, # <u>7</u> Exhibit Ex. F, # <u>8</u> Exhibit Proposed Order)(Long, Elizabeth) (Entered: 12/12/2023) |
| 12/14/2023 | <u>410</u> | REDACTION to <u>384</u> Sealed Document <i>OBJECTIONS TO MEMORANDUM ORDER (DKT. 351) GRANTING-INPART AND DENYING-IN-PART CHARTERS MOTION TO STRIKE DR. KRAMERS IMPROPER OPINIONS</i> |

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| | | (DKT. 167) by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/14/2023) |
| 12/14/2023 | <u>411</u> | REDACTION to <u>385</u> Sealed Document <i>OBJECTIONS TO MEMORANDUM ORDER (DKT. 359) GRANTING-INPART AND DENYING-IN-PART CHARTERS MOTION TO STRIKE DR. SOURIS IMPROPER OPINIONS (DKT. 166)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/14/2023) |
| 12/14/2023 | <u>412</u> | REDACTION to <u>386</u> Sealed Document, <i>OBJECTION TO REPORT AND RECOMMENDATION (DKT. 357) GRANTING-IN-PART AND DENYING-IN-PART ENTROPICS MOTION FOR SUMMARY JUDGMENT OF NO LICENSE DEFENSE BASED ON DOCSIS (DKT. 177)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order) (Long, Elizabeth) (Entered: 12/14/2023) |
| 12/14/2023 | <u>413</u> | REDACTION to <u>387</u> Sealed Document, <i>OBJECTION TO REPORT AND RECOMMENDATION (DKT. 354 DENYING ITS MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF THE ASSERTED CLAIMS OF THE 682 AND 690 PATENTS (DKT. 176)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/14/2023) |
| 12/14/2023 | <u>414</u> | REDACTION to <u>389</u> Sealed Document <i>RESPONSE TO PLAINTIFFS NOTICE OF OUTSTANDING ISSUES (DKT. 372)</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit Ex. A)(Long, Elizabeth) (Entered: 12/14/2023) |
| 12/15/2023 | <u>415</u> | NOTICE by Charter Communications, Inc. <i>DEFENDANTS NOTICE OF INTENT TO REQUEST REDACTION</i> (Long, Elizabeth) (Entered: 12/15/2023) |
| 12/29/2023 |  <u>416</u> | AGREED SEALED MOTION <i>Joint Motion to Redact Transcript [Dkt. 405]</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Proposed Order Proposed Order)(Long, Elizabeth) Modified on 12/29/2023 (nkl,). (Entered: 12/29/2023) |
| 12/29/2023 | | Clerk's LR CV-10(d) Notice of Deficiency as to <u>416</u> Sealed Motion - LR CV-7(i) or LR CR-47(a)(3) requires this document to include a certificate of conference that complies with the rule. Recommended cure: Within one day, Filer must refile with the word <i>Corrected</i> in the title of the document. The filer should use the same ECF event and when offered the docket text enhancement dropdown, select <u>CORRECTED</u> so it will also appear in the docket text. (nkl,) (Entered: 12/29/2023) |
| 12/29/2023 |  <u>417</u> | AGREED SEALED MOTION <i>Corrected Joint Motion to Redact Transcript [Dkt. 405]</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 12/29/2023) |
| 12/29/2023 |  <u>418</u> | FILED IN ERROR PER ATTORNEY JOINT MOTION for Entry of Public Version of Order (Dkt. No. 368) by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Shimota, James) Modified on 12/29/2023 (nkl,). (Entered: 12/29/2023) |
| 12/29/2023 | | ***FILED IN ERROR PER ATTORNEY. Document # 418, JOINT MOTION for Entry of Public Version of Order (Dkt. No. 368). PLEASE IGNORE.*** (nkl,) (Entered: 12/29/2023) |

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| 01/02/2024 |   | <u>419</u> | *SEALED* SEALED ORDER - granting <u>417</u> Joint Motion to Redact. Signed by District Judge Rodney Gilstrap on 1/2/2024. (ch,) (Entered: 01/02/2024) |
| 01/02/2024 |  | <u>420</u> | SEALED MOTION (<i>Joint Motion for Entry of Public Version of Order (Dkt. No. 368)</i>) by Entropic Communications, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Shimota, James) (Entered: 01/02/2024) |
| 01/02/2024 | | <u>421</u> | ORDER denying <u>420</u> SEALED MOTION (Joint Motion for Entry of Public Version of Order (Dkt. No. 368). Signed by District Judge Rodney Gilstrap on 1/3/2024. (ch,) (Entered: 01/03/2024) |
| 01/04/2024 | | <u>422</u> | REDACTION to <u>417</u> AGREED SEALED MOTION <i>Corrected Joint Motion to Redact Transcript [Dkt. 405]</i> by Charter Communications, Inc.. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 01/04/2024) |
| 01/04/2024 | | <u>423</u> | NOTICE of Redaction to Order (Dkt. No. 368) by Entropic Communications, LLC (Attachments: # <u>1</u> Exhibit A)(Shimota, James) (Entered: 01/04/2024) |
| 03/20/2024 | | <u>424</u> | NOTICE of Attorney Appearance by Christopher John Morten on behalf of The Electronic Frontier Foundation (Morten, Christopher) (Entered: 03/20/2024) |
| 03/20/2024 | | <u>425</u> | OPPOSED MOTION to Intervene , OPPOSED MOTION to Unseal Document <u>272</u> Redacted Document filed by Entropic Communications, LLC by The Electronic Frontier Foundation. (Attachments: # <u>1</u> Affidavit/Declaration Morten Declaration, # <u>2</u> Exhibit A to Morten Decl. (Complaint in Intervention), # <u>3</u> Exhibit B to Morten Decl. (Sealed Filings Defined & Quantified), # <u>4</u> Exhibit C to Morten Decl. (Meet & Confer Correspondence), # <u>5</u> Exhibit D to Morten Decl. (Proposed Order), # <u>6</u> Exhibit E to Morten Decl. (Screenshots of Redaction), # <u>7</u> Exhibit F to Morten Decl. (BL News Story 1), # <u>8</u> Exhibit G to Morten Decl. (BL News Story 2), # <u>9</u> Affidavit/Declaration Mackey Declaration)(Morten, Christopher) (Entered: 03/20/2024) |
| 03/20/2024 | | <u>426</u> | Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by The Electronic Frontier Foundation (Morten, Christopher) (Entered: 03/20/2024) |
| 04/03/2024 | | <u>427</u> | RESPONSE in Opposition re <u>425</u> OPPOSED MOTION to Intervene OPPOSED MOTION to Unseal Document <u>272</u> Redacted Document filed by Entropic Communications, LLC <i>filed by Charter Communications, Inc..</i> (Attachments: # <u>1</u> Proposed Order Proposed Order)(Long, Elizabeth) (Entered: 04/03/2024) |
| 04/10/2024 | | <u>428</u> | REPLY to Response to Motion re <u>425</u> OPPOSED MOTION to Intervene OPPOSED MOTION to Unseal Document <u>272</u> Redacted Document filed by Entropic Communications, LLC <i>filed by The Electronic Frontier Foundation.</i> (Morten, Christopher) (Entered: 04/10/2024) |
| 04/17/2024 | | <u>429</u> | SUR-REPLY to Reply to Response to Motion re <u>425</u> OPPOSED MOTION to Intervene OPPOSED MOTION to Unseal Document <u>272</u> Redacted Document filed by Entropic Communications, LLC <i>filed by Charter Communications, Inc..</i> (Long, Elizabeth) (Entered: 04/17/2024) |
| 05/02/2024 | | <u>430</u> | MEMORANDUM OPINION AND ORDER - denying <u>425</u> . Signed by District Judge Rodney Gilstrap on 5/2/2024. (CH) (Entered: 05/02/2024) |

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| 05/31/2024 | <u>431</u> | NOTICE OF APPEAL - FEDERAL CIRCUIT as to <u>430</u> Memorandum & Opinion by The Electronic Frontier Foundation. Filing fee \$ 605, receipt number ATXEDC-10165150. (Morten, Christopher) (Entered: 05/31/2024) |
| 05/31/2024 | | Transmission of Notice of Appeal, Order and Docket Sheet to US Court of Appeals, Federal Circuit by separate email. re <u>431</u> Notice of Appeal - FEDERAL CIRCUIT (CH) (Entered: 05/31/2024) |

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

| | | |
|-------------------------------|---|------------------------------------|
| ENTROPIC COMMUNICATIONS, LLC, | § | |
| | § | |
| <i>Plaintiff,</i> | § | |
| | § | |
| v. | § | CIVIL ACTION NO. 2:22-CV-00125-JRG |
| | § | |
| CHARTER COMMUNICATIONS, INC., | § | |
| | § | |
| <i>Defendant.</i> | § | |

MEMORANDUM OPINION AND ORDER

Before the Court is third party Electronic Frontier Foundation’s (“EFF”) Motion to Intervene and to Unseal Court Records (the “Motion”) (Dkt. No. 425). Having considered the Motion and briefing, the Court finds that it should be **DENIED** for the reasons set forth herein.

I. BACKGROUND

On April 27, 2022, Plaintiff Entropic Communications, LLC (“Plaintiff” or “Entropic”) filed a Complaint against Defendant Charter Communications, Inc. (“Defendant” or “Charter”) alleging infringement of six U.S. patents. (Dkt. No. 1.) In December 2023, the parties settled the case (Dkt. No. 407.) The Court accepted and acknowledged the Parties’ Stipulation of Dismissal and closed the case on December 10, 2023. (Dkt. No. 408.)

On March 20, 2024, third party EFF moved to intervene “for the limited purpose of vindicating the public’s right to access court records.” (Dkt. No. 425 at 1.) That motion is now before the Court.

II. LEGAL STANDARD

Courts may permit intervention in a civil action on an applicant’s timely motion if the applicant: “(A) is given a conditional right to intervene by a federal statute; or (B) has a claim or

defense that shares with the main action a common question of law or fact.” Fed. R. Civ. P. 24(b). A threshold issue regarding an applicant’s motion to intervene, whether as of right under Rule 24(a) or permissively under either prong of Rule 24(b), is that the application must be timely. *Nat’l Ass’n for Advancement of Colored People v. New York*, 413 U.S. 345, 365 (1973). Timeliness under the permissive intervention standard is evaluated more strictly than under mandatory intervention. *Stallworth*, 558 F.2d at 266; *see also Rotstain v. Mendez*, 986 F.3d 931, 942 (5th Cir. 2021).

“[T]imeliness is not limited to chronological considerations but ‘is to be determined from all the circumstances.’” *Stallworth*, 558 F.2d at 263. The Fifth Circuit “assesses [timeliness] through the factors set forth in *Stallworth v. Monsanto Co.*: (1) the length of time the movant waited to file, (2) the prejudice to the existing parties from any delay, (3) the prejudice to the movant if the intervention is denied, and (4) any unusual circumstances.” (Dkt. No. 471-1 at 8-9) (citing 558 F.2d 257).

Further, “[p]ermissive intervention is ‘wholly discretionary’ and may be denied even when the requirements of Rule 24(b) are satisfied.” *Turner v. Cincinnati Ins. Co.*, 9 F.4th 300, 317 (5th Cir. 2021) (quoting *New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Co.*, 732 F.2d 452, 471–72 (5th Cir. 1984)).

III. DISCUSSION

A. The Motion to Intervene

EFF seeks permissive intervention in this case and argues that its motion is timely. (Dkt. No. 425 at 13.) The Court addresses each of the *Stallworth* factors on timeliness in turn.

1. The length of delay

To determine timeliness, “[a] court must . . . look to the actions of the litigants” and determine “the moment that the prospective intervenor knew that his interest would ‘no longer be

protected.” *U.S. ex rel Hernandez v. Team Fin.*, 80 F.4th 571, 578 (5th Cir. 2023). EFF argues that this moment occurred on November 29, 2023, when Magistrate Judge Payne issued his Report and Recommendation (“R&R”) on Charter’s DOCSIS license defense. (*Id.* at 13; Dkt. No. 482 at 1-2.) Alternatively, EFF argues that the relevant moment is December 8, 2023, when this Court adopted Magistrate Judge Payne’s R&R. (Dkt. No. 425 at 13.) According to EFF, under either date, EFF filed its motion in less than four months, which is “well within the bounds of timeliness.” (Dkt. No. 428 at 2.)

While Charter observes that EFF should have been aware of the DOCSIS license defense generally no later than May 24, 2023, the date of Charter’s redacted Answer containing the defense (Dkt. No. 427 at 3), it does not appear to dispute that November 29, 2023 is the relevant moment for the timeliness inquiry. However, it argues that EFF’s four-month delay cannot be timely. (*Id.* at 3-4; Dkt. No. 429 at 1-2.)

Having considered the above arguments, the Court finds that the length of delay in this case weighs against timeliness. EFF seeks the unsealing of the briefing and exhibits relating to Plaintiff’s Motion for Summary Judgment of No License Defense Based on DOCSIS. (Dkt. No. 425 at 15.) That motion was filed on September 11, 2023 and became fully briefed on October 11, 2023. (Dkt. No. 177; Dkt. No. 267.) The Court notes that EFF repeatedly characterized the DOCSIS license defense as a “key issue in this case.” (Dkt. No. 425 at 2.) Furthermore, Charter put the public on notice of the defense almost four months before Plaintiff filed its summary judgment motion. In light of these circumstances, this Court believes that EFF likely followed the filings in this case and had a particular interest in this summary judgment motion. As such, common sense indicates that EFF would have known by the time the motion was fully briefed (October 11, 2023) *at the latest* that the documents were sealed without accompanying motions to

seal—*i.e.*, that its interest “would no longer be protected.” *Hernandez*, 80 F.4th at 578. EFF may even have attempted to access the sealed material on the docket before the issuance of Magistrate Judge Payne’s R&R. If it did, such shows earlier notice. If it did not, such reveals a lack of diligence. Based on the relevant date of October 11, 2023, EFF waited more than five months to file this Motion. That filing is not timely.

Out of an abundance of caution, the Court conducts the same analysis under EFF’s proposed date of November 29, 2023. In light of EFF’s characterization of the license defense as a “nationally important, precedent-setting case-dispositive defense” (Dkt. No. 425 at 1), the Court finds that a four-month delay is likewise untimely.

Accordingly, in the totality of the circumstances, the Court finds that the delay by EFF weighs against timeliness.

2. The prejudice to the existing parties

EFF argues that permitting it to intervene will not prejudice the parties because EFF does not seek to revisit substantive issues already decided by the Court. (*Id.* at 14.) EFF points out that the parties have continued to raise sealing questions after the case was closed. (*Id.*)

In response, Charter argues that allowing EFF to intervene would be prejudicial to the parties because the case team has already disbanded, and the parties would have to revisit confidentiality issues they reasonably believed were settled. (Dkt. No. 427 at 4.)

The Court agrees with Charter. Pulling the parties back into this case months after they had settled, after they have disbanded their case teams, and well after an Order of Dismissal directing the case be closed, is prejudicial. Moreover, lawyers necessarily move onto the next case and familiarity with the issues and documents immediately begins to wane. EFF’s delay resulted in a four-month gap between the settlement and this Motion. Had EFF intervened when the motion at issue became fully briefed, its Motion could have been contemporaneous with the settlement

when knowledge surrounding the relevant documents was fresh and the trial teams were engaged and focused.

Accordingly, the prejudice to the parties weighs against the timeliness of EFF's motion.

3. The prejudice to the movant if intervention is denied

EFF contends that it has a “strong interest in understanding and reporting on the DOCSIS License and DOCSIS License defense, and sealing prevents EFF from carrying out this reporting.” (Dkt. No. 428 at 3.) EFF further argues that Magistrate Judge Payne's R&R is not “a substitute” for the underlying motions and exhibits submitted to the Court. (*Id.*)

Charter responds that Magistrate Judge Payne's R&R provides a thorough recitation and analysis of the license defense. (Dkt. No. 427 at 4.) Therefore, EFF would suffer no prejudice if intervention is denied. (*Id.*)

Having reviewed the briefing and the R&R, this Court agrees with Charter and finds that EFF will suffer little, if any, material prejudice if the Motion to Intervene is denied. As EFF admitted, Magistrate Judge Payne's R&R is entirely unredacted and summarizes the key issues relating to Charter's DOCSIS license defense. (Dkt. No. 425 at 4-5.) Despite EFF's complaints about how “little the public can [] glean about the DOCSIS dispute,” EFF was able to clearly explain the two key license issues in its briefing. (*Id.*) While the Court is cognizant of the public's right to access court records, the decision to seal or unseal records is best left to the trial court “in light of the relevant facts and circumstances of the particular case.” *Vantage Health Plan, Inc. v. Willis-Knighton Med. Ctr.*, 913 F.3d 443, 450 (5th Cir. 2019). Litigants must have assurance that their confidential information will not be exposed to everyone who believes their own professional interests might benefit. The Court must strike a fair balance between the competing interests of the public's right to access and the protection of confidentiality. In light of Magistrate Judge Payne's publicly available, unredacted summary of the key issues relating to

the license defense, this Court finds that EFF would suffer little, if any, material harm if intervention is denied.

4. Any unusual circumstances

EFF argues that denying it leave to intervene in this case would “force EFF and other members of the public interested in court records [] to file motions early in litigation, before case-dispositive issues are decided or even briefed.” (Dkt. No. 428 at 3.)

In response, Charter points out that this factor focuses on any “unusual circumstances militating for or against the timeliness of a motion to intervene,” not for or against intervention in general. (Dkt. No. 429 at 3.)

The Court finds that EFF has not shown any unusual circumstances that militate in favor of a *determination of timeliness*. Accordingly, this factor is neutral.

Having weighed the four *Stallworth* factors relevant to the timeliness inquiry under a totality of the circumstances, the Court finds that EFF’s Motion to Intervene was not timely. Accordingly, the Court finds that EFF’s Motion to Intervene should be and hereby is **DENIED**.

B. The Motion to Unseal

The Court next turns to the Motion to Unseal.

EFF argues that the parties improperly filed the briefings and exhibits relating to Plaintiff’s Motion for Summary Judgment of No License Defense Based on DOCSIS (Dkt. Nos. 177, 215, 237, 267, 386 and their attachments) under seal without accompanying motions to seal. (Dkt. No. 425 at 10-12; Dkt. No. 428 at 3-5.) In support, EFF cites Local Rule CV-5(a)(7)(B)(2) and this Court’s Standing Order Regarding Protection of Proprietary and/or Confidential Information to be Presented to the Court During Motion and Trial Practice. (Dkt. No. 425 at 11; Dkt. No. 428 at 3-4.) EFF further contends that the Protective Order in this case “cannot exempt Entropic and

Charter from their obligation to move to file judicial records under seal and to show why the public’s presumptive right of access is subordinated.” (Dkt. No. 425 at 12.)

In response, Charter contends that Local Rule CV-5(a)(7)(B)(2) allows parties to file documents under seal without a motion to seal when the Court “has already granted authorization to seal the document.” (Dkt. No. 427 at 5-6.) Charter argues that the Protective Order in this case grants such authorization by requiring that “[a]ny designated material that is filed with the Court shall be filed under seal and shall remain under seal until further order of the Court.” (Dkt. No. 427 at 2-3.) In addition, Charter contends that EFF improperly relies on a Standing Order that only applies to sealing confidential information during a public hearing or trial. (*Id.* at 6.) Therefore, according to Charter, the parties followed the proper procedures for sealing confidential documents. (*Id.* at 6.)

The Court agrees with Charter and finds that the parties properly filed under seal the confidential documents relating to Plaintiff’s Motion for Summary Judgment of No License Defense Based on DOCSIS (Dkt. Nos. 177, 215, 237, 267, 386 and their attachments). As Charter correctly noted, the Protective Order in this case requires that any “designated material” under the Protective Order be filed under seal. (Dkt. No. 36 at 10.) In this context, the Court had already granted authorization to seal confidential information designated under the Protective Order under Local Rule CV-5(a)(7)(B)(2). As such, the parties need not file additional motions to seal such confidential information.

In addition, the Court notes that EFF’s reliance on this Court’s Standing Order Regarding Protection of Proprietary and/or Confidential Information To Be Presented to the Court During Motion and Trial Practice is misplaced. By its own terms, that Standing Order applies to the sealing of confidential information *during a public hearing or trial*, not during motion practice.

For the foregoing reasons, the Court **DENIES** EFF's Motion to Intervene and to Unseal Court Records (Dkt. No. 425).



 RODNEY GILSTRAP
 UNITED STATES DISTRICT JUDGE